

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI

DAVID DIXON,)	
JEFFREY ROZELLE,)	
AARON THURMAN, and)	
RICHARD ROBARDS,)	
On behalf of themselves and all)	
others similarly situated,)	
)	
Plaintiffs,)	
)	
v.)	
)	
CITY OF ST. LOUIS, SHERIFF VERNON)	Cause No.
BETTS, JUDGE ROBIN RANSOM in her)	
official capacity as presiding judge, JUDGE)	
REX BURLISON in his official capacity as)	
interim Presiding Judge, JUDGE ELIZABETH)	
HOGAN in her official capacity as Division 16)	
Judge and Duty Judge, JUDGE DAVID)	
ROITHER in his official capacity as Division 25))	
Judge and Duty Judge, JUDGE THOMAS)	
MCCARTHY in his official capacity as)	
Division 26 Judge, COMMISSIONER DALE)	
GLASS in his official capacity as St. Louis)	
Commissioner of Corrections,)	
)	
Defendants.)	

CLASS ACTION COMPLAINT

1. Every day in the City of St. Louis, presumptively innocent individuals remain in jail simply because they are too poor to pay for their freedom. Hundreds of people—the vast majority of whom are poor and Black—are condemned to remain confined in jail for weeks, months, or even years. They are locked in jail until they either have their day in court or, more likely, accept a plea that allows them to escape custody and return to their lives. This system inflicts devastating harm on people solely because of their poverty and violates the most fundamental of American axioms, that all people are equal under the law.

2. The Defendant Judges in the 22nd Judicial Circuit of Missouri and officials from the City of St. Louis are responsible for these harms, as they employ policies and practices that imprison people on unaffordable money bail, deny them even the most basic procedural protections, and violate their fundamental constitutional right to pretrial liberty and their equal protection right not to be detained because of their poverty.

3. The Supreme Court has directed judges that pretrial detention should be a “carefully limited exception” in our legal system. *United States v. Salerno*, 481 U.S. 739, 755 (1987). Nevertheless, individuals arrested and charged in St. Louis City are subject to an unconstitutional system where they are denied any process to argue for their liberty. In fact, the first hearing on release conditions¹ only occurs when an individual obtains counsel. Because appointment of a public defender typically takes four to five weeks, those too poor to pay the monetary release conditions or to hire a private attorney are subjected to extended pretrial incarceration before they have *any* opportunity to contest their release conditions.

4. Conversely, wealthier individuals are released from custody almost immediately because they can pay the monetary conditions of release.

5. As a result, Plaintiffs’ rights to equal protection under the law, as well as substantive and procedural due process, are systematically violated by Defendants. The City of St. Louis violates Plaintiffs’ constitutionally protected rights by contributing to a system where arrestees are imprisoned without adequate process, including no assessment of their ability to pay, and no determination that pretrial detention is necessary to advance a compelling

¹ In the 22nd Judicial Circuit and other jurisdictions, various terms are used to refer to conditions of release. For the purposes of this complaint, “bail” is synonymous with “release conditions.” The phrases “money bail,” “secured money bail,” “monetary bail,” or “financial condition of release” refer to the requirement that a bail amount be paid upfront in order for a person to be released. The terms “unsecured bail,” “unsecured bond,” or “recognizance bond” refer to release upon a promise to pay an amount of money at a later date if they do not appear for court.

government interest. Specifically, the Bond Commissioner, a City employee, violates Plaintiffs' rights through his policy and practice of failing to assess detained individuals' economic circumstances or consider non-monetary conditions of release. He instead only recommends monetary release conditions when making recommendations to the Duty Judge, who formally sets conditions of release. The St. Louis Sheriff's department violates Plaintiffs' rights through its practice of telling individuals that they cannot speak to the court about their release conditions at their first appearances.

6. The Defendant judges of the 22nd Judicial Circuit Court further violate Plaintiffs' rights by (1) setting arbitrary release conditions without any investigation into an individual's ability to pay financial release conditions, (2) issuing *de facto* detention orders without determining whether detention is necessary to advance a compelling government interest or if there exist less restrictive alternatives available, and (3) doing all of the foregoing without providing any process at all to the incarcerated individual to contest their jailing until weeks or months have passed and an attorney enters an appearance.

7. As a result of Defendants' unconstitutional policies and practices, 85% of the over one thousand individuals locked in St. Louis City jails are there awaiting trial because they are too poor to pay for their release.

8. Pretrial detention not only subjects these individuals to the unconscionable conditions in St. Louis' jails, but also significantly impacts their personal lives and jeopardizes their legal defense. The collateral consequences of pretrial incarceration are severe: pretrial detainees routinely suffer losses in employment, child custody, and housing and experience greater risks of physical and emotional illness, barriers to counsel, and—critically—statistically worse trial and sentencing outcomes than released individuals who were charged with the same

offense. *See, e.g.*, Paul Heaton, et al., *The Downstream Consequences of Misdemeanor Pretrial Detention*, 69 STAN. L. REV. 711, 786-87 (2017).

9. This is despite compelling evidence that alternatives to monetary release conditions are more effective in ensuring appearance for trial and reduce the risk of re-arrest before trial. Pretrial Justice Institute, *The Pretrial Services Agency For the District of Columbia: Lessons From Five Decades of Innovation and Growth*, 2 Case Studies 1, 2 (Aug. 2018), <https://perma.cc/8KAD-TY5H> (“The high nonfinancial release rate has been accomplished without sacrificing the safety of the public or the appearance of people in court. Agency data show that 90 percent of released people make all court appearances and that 91 percent complete the pretrial release period without any new arrests.”).

10. This lawsuit is brought by Plaintiffs David Dixon, Jeffrey Rozelle, Aaron Thurman, and Richard Robards (collectively, “Named Plaintiffs”) in their individual capacity and as representatives of the class of individuals including all arrestees who are or will be detained in the Medium Security Institution (referred to as “the Workhouse”) or the City Justice Center (“CJC”), operated by the City of St. Louis, post-arrest because they are unable to afford to pay a monetary release condition. Each named Plaintiff has already suffered over 10 days of incarceration without process due to Defendants’ actions.

11. On behalf of themselves and all others similarly situated, Plaintiffs seek a declaration from the Court that Defendants’ policies and practices violate Plaintiffs’ equal protection, substantive due process, and procedural due process rights. Plaintiffs further request the Court remedy these unconstitutional actions by issuing appropriate injunctive and declaratory relief that will ensure the substantive and procedural safeguards outlined below are followed and that individuals in St. Louis do not remain jailed based solely on their poverty.

12. Plaintiffs further ask that this Court immediately take up their Motion for Temporary Restraining Order, and order the immediate release of the Named Plaintiffs unless they are provided the procedures outlined below, as the parties work to remedy these issues.

JURISDICTION AND VENUE

13. This is a civil rights action arising under 42 U.S.C. §1983 and 28 U.S.C. § 2201, *et seq.*, and the Fourteenth Amendment to the United States Constitution. This Court has jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1343.

14. Venue in this Court is proper pursuant to 28 U.S.C. §1391.

PARTIES

15. **Plaintiff David Dixon** is a 52-year-old Black man who lives in St. Louis. He has been incarcerated for the last 18 days solely because he cannot afford his \$30,000 cash bond, set by Duty Judge Roither. Mr. Dixon's family struggles without him. He is the primary caregiver for his paralyzed Vietnam-vet uncle and his 2 sons. Mr. Dixon suffers from seizures and high blood pressure and has been denied adequate medical treatment while incarcerated. Mr. Dixon fears he will not make it out alive. After suffering for 6 days in a holding cell at St. Louis' City Justice Center ("CJC"), without a shower, sleep, or any medication, he now suffers at the Workhouse, unable to eat and in fear for his safety. Mr. Dixon was arrested on January 10, 2019, when the Court gave Mr. Dixon a two minute first appearance through a video monitor. Before the appearance, a sheriff deputy told him to "nod and say yes and come back out." The Bond Commissioner did not interview him regarding ability to pay monetary conditions of release nor learn relevant personal information prior making a bond recommendation or Mr. Dixon's first appearance. When Judge Roither announced his bond, Mr. Dixon expressed that he could not afford that amount. Judge Roither ordered Mr. Dixon's continued incarceration, gave him a new

court date, and told him to speak with an attorney. Mr. Dixon has applied for a public defender but still has not heard back.

16. Plaintiff Jeffrey Rozelle is a 42-year-old Black man from St. Louis. Mr. Rozelle has been incarcerated 13 days without a hearing because he is too poor to pay the \$15,000 cash bond set in his case by Duty Judge Roither. Mr. Rozelle has four teenage children who look up to him and rely on his care. He is suffering due to the conditions at the Workhouse, including the mold in the showers, rodents, and extremely cold temperatures. Mr. Rozelle saw Judge Roither through video for less than 2 minutes. Before his appearance, a Sheriff Deputy told him he could not say anything. The Bond Commissioner did not interview him regarding his ability to pay monetary conditions of release or learn relevant personal information prior making a bond recommendation or Mr. Rozelle's first appearance. At his first appearance, Mr. Rozelle tried to ask for a change in his release conditions, but the judge told him that he would have to wait until he retained counsel and filed a motion related to release conditions. Judge Roither ordered Mr. Rozelle to remain in custody unless he could pay \$15,000. Mr. Rozelle attempted to immediately apply for a public defender but was told by officials at CJC that he would have to wait until he was transferred to the Workhouse to do so, six days later.

17. Plaintiff Aaron Thurman is a 24-year-old Black man from St. Louis. He has been incarcerated for the last 13 days because he cannot afford his cash bond set at \$30,000, cash only, by Duty Judge Hogan. Prior to his incarceration, Mr. Thurman moved back home to care for his sister who was just diagnosed with Stage IV breast cancer. Since he stays home to care for her full-time, he also cares for his siblings' children and his own 3 young daughters. Mr. Thurman struggles with his inability to support his family knowing that his family needs him home. See Ex. S, ¶¶ 3-7; Ex. T, ¶¶ 3-7; Ex. U, ¶¶ 3-8. On January 15th, Mr. Thurman saw Judge

Roither through a video monitor. Prior to this appearance, a Sheriff's deputy told him that he could not speak to the judge. His first appearance lasted less than 2 minutes, during which Judge Roither announced his charges and his bond, and asked him whether he was planning on applying for a public defender. Mr. Thurman was asked no further questions about his individual situation, including his ability to pay the bond, nor given an explanation for the bond set. Judge Roither ordered Mr. Thurman to remain in custody unless he could pay \$30,000. The Bond Commissioner did not interview Mr. Thurman regarding his ability to afford monetary conditions of release or learn relevant personal information prior to making a bond recommendation or Mr. Thurman's first appearance. Mr. Thurman has applied for a public defender but has not heard back.

18. Plaintiff Richard Robards is a 25-year-old white man from St. Louis. Mr. Robards has been incarcerated for 18 days because he is too poor to pay the \$10,000, 10% secured cash bond set in his case by Duty Judge Roither. Mr. Robards is desperate to be released in order to care for his pregnant partner and to be present at the birth of their child, who is due in July. See Ex. V, ¶¶ 3-5; Ex. W, ¶¶ 3-4. Mr. Robards was not interviewed regarding his ability to afford monetary conditions of release nor to learn relevant personal information prior to his first appearance. Mr. Robards first appearance before Judge Roither lasted 2 minutes through a video monitor where he was told his charges and the bond amount set in his case. Mr. Robards wanted to explain his inability to afford his bond, but saw the judge cut people off if they tried to speak. At the conclusion of his hearing, the Judge ordered Mr. Robards to remain in custody unless he could pay for his release.

19. Defendant City of St. Louis is responsible for setting policy regarding pretrial release through its Public Safety Director, the office of the Mayor, and most specifically through

the Bond Commissioner and the Defendant Sheriff.² As a city employee, the Bond Commissioner is directly responsible for recommending release conditions to the Duty Judge, and thus represents and implements the policies and practices of the City. The Bond Commissioner is responsible for determining what information to provide to the Duty Judge when making a recommendation and has a practice of not inquiring into ability to pay. He also has a practice of only recommending monetary conditions of release. The Sheriff's role is outlined below. The City is sued for injunctive and declaratory relief.

20. **Defendant Sheriff Vernon Betts** is the head of the St. Louis Sheriff's Department and has authority over individuals in St. Louis City custody during the time of their first appearance before the court by video conference. The Sheriff and the City are liable for the Sheriff's unconstitutional policy and practice of having his deputies direct individuals in their custody not to speak and thereby not to challenge their release conditions during their first appearance before a judge. Sheriff Vernon Betts is sued in his official capacity for injunctive and declaratory relief.

21. **Named Defendant Circuit and Associate Circuit Judges** are all judges in the 22nd Judicial Circuit Court of Missouri and are sued in their official capacity. Judge Hogan and Judge Roither, in their capacity as Duty Judge, are responsible for setting release conditions and have a practice of setting unaffordable release conditions without any process or findings, let alone constitutionally sound ones. Judge Hogan, Judge Roither, and Judge McCarthy, in their capacity as Judges presiding over Divisions 16, 25, and 26, are responsible for conducting first

² The "Bond Commissioner's Office" operated by the City of St. Louis was formerly known as the "Pre-Trial Services Office." The Bond Commissioner operates with the powers of its predecessor, which are outlined in 22nd Judicial Circuit Rule 67.1.3. The Bond Commissioner is a City of St. Louis employee. City of St. Louis, FY19-Line-Item-Judicial-as-adopted (budget), available at <https://www.stlouis-mo.gov/government/departments/budget/documents/upload/FY19-Line-Item-Judicial-as-adopted.pdf>.

appearances, adopting release conditions set without any process or findings. Presiding Judge Ransom and Interim Presiding Judge Burlison, in their capacities as Presiding Judges in the 22nd Judicial Circuit Court oversee the court's policies and practices. During the first appearance, judges do not inquire into an individual's ability to pay financial release conditions, likelihood to appear for trial, or any countervailing government interests—in violation of those individuals substantive due process and equal protection rights. Judges are sued in their official capacity for declaratory relief.

22. **Defendant Commissioner Dale Glass** is the Commissioner of the St. Louis Division of Corrections. Commissioner Glass directs the Division of Corrections and enforces the pretrial detention of individuals confined in the City's two jails. The Commissioner is liable for enforcing unconstitutional *de facto* detention orders. Commissioner Glass is sued in his official capacity for the purposes of ordering prospective injunctive relief.

**DEFENDANTS FAIL TO PROVIDE ANY CONSTITUTIONALLY MEANINGFUL
PRETRIAL RELEASE PROCESS AND INDIVIDUALS REMAIN INCARCERATED
DUE TO THEIR POVERTY**

23. Individuals enter St. Louis custody upon arrest by a law enforcement agency. Prior to issuance of a warrant, a monetary release condition is set by the Duty Judge based on a recommendation by the Bond Commissioner. When someone is arrested by police without a warrant, the Bond Commissioner will make a recommendation regarding release conditions to a Duty Judge who sets bond at some point prior to the individual's first appearance before a judge.

24. The Bond Commissioner, when making a recommendation to the judge, will usually rely only on the individual's prior criminal record and the charges alleged against them. The Bond Commissioner does not inquire into the detained individual's ability to afford monetary conditions for their release, their ties to the community, or other relevant factors when making a recommendation. Ex. BB. In fact, the Bond Commissioner often does not even

interview the individual prior to making a recommendation. Ex. C, ¶ 8; Ex. D, ¶ 3; Ex. E, ¶ 6; Ex. F, ¶ 5; Ex. H, ¶ 6; Ex. I, ¶ 3; Ex. K, ¶ 2; Ex. L, ¶ 3; Ex. N, ¶ 3; Ex. O, ¶ 8; Ex. P, ¶ 6. Despite not knowing whether any given arrestee is wealthy or poor, the Bond Commissioner has a policy or practice of virtually always recommending monetary conditions of release.

25. The Duty Judge has a policy or practice of setting the initial release conditions based solely on information in the warrant application, information provided by the Bond Commissioner, and the Bond Commissioner's recommendation, without performing any independent inquiry. As a result, the median bond amount set in the city is \$25,000—an amount far beyond most individuals' ability to pay—resulting in *de facto* orders of detention for poor people lasting weeks or months, while simultaneously allowing wealthy individuals to buy their freedom. In the vast majority of cases the initial condition set by the judge is a monetary cash-only bond that an individual must pay *in full* in order to be released.

26. The first time an individual sees a judge is at their first appearance, which is held by video conference from CJC and usually within 48 hours of their arrest. Deputies who are overseen by Sheriff Betts maintain custody over individuals during their first appearances. Pursuant to a policy or practice of the Sheriff's Office, deputies inform detained individuals that they are not allowed to speak or request a change in their release conditions during the first appearance. Ex. A, ¶ 3; Ex. B, ¶ 3; Ex. C, ¶ 3; Ex. D, ¶ 4; Ex. G, ¶ 5; Ex. H, ¶ 3; Ex. I, ¶ 4; Ex. J, ¶ 5; Ex. K, ¶ 3; Ex. Q, ¶ 3.

27. As a result, the first appearance is limited to the judge reading the charges and informing the individual of the release conditions already set in their case. Detained individuals are given no opportunity to provide the judge with information about their ability to meet those release conditions. Individuals are not represented by counsel and are not allowed to speak to the

judge except to inform the judge whether they plan to retain counsel. This first appearance lasts only 1-2 minutes and is not on the record. Ex. A, ¶ 5; Ex. B, ¶ 3; Ex. C, ¶¶ 5-6; Ex. D, ¶¶ 5-6; Ex. E, ¶ 4; Ex. F, ¶ 6; Ex. G, ¶ 6; Ex. H, ¶¶ 4-5; Ex. I, ¶ 5; Ex. L, ¶ 3; Ex. M, ¶ 5; Ex. N, ¶ 4; Ex. O, ¶ 7; Ex. Q, ¶¶ 3-4.

28. Further, if an individual dares to speak, the judge will inform them that the first appearance is not the appropriate time to talk about their release conditions. Judges have repeatedly told individuals that if they would like to challenge the conditions set, they must wait for an attorney to file a motion and cannot do so themselves. Ex. A, ¶ 5; Ex. M, ¶ 5.

29. Indigent individuals are therefore denied *any* opportunity to challenge or request modification of their release conditions until a public defender enters on their case. This process takes an average of four weeks from the time of arrest due to the chronic underfunding of the Missouri State Public Defender system. Even after a public defender enters as counsel and files a motion to reduce bond, at least a week elapses before a judge hears the motion. *See, e.g.* Ex. DD, *St. v. Calvin Lamont Wiley, Jr.*, 1822-CR03442 (14 days between entry of public defender and bond reduction hearing); Ex. EE, *St. v. Dion Joseph Clerk*, 1822-CR03462 (12 days between entry of public defender and bond reduction hearing). Thus, indigent defendants remain incarcerated on average four to five weeks before they are given *any* opportunity to challenge or modify the release conditions set in their case. Poor individuals who do not qualify for a public defender, but also cannot afford to hire a private attorney, may face even longer delays waiting for a court determination that they are eligible for services by a public defender.

30. Conversely, wealthier individuals can either immediately pay the set monetary amount or hire an attorney to quickly challenge their release conditions.

31. Even when hearings are finally held regarding an individual's release conditions, such hearings fail to make findings on the individual's ability to afford the release conditions, the insufficiency of non-financial alternatives to monetary conditions of release, and why a particular release condition is necessary to meet a compelling government interest.

32. Empirical research indicates no correlation exist between monetary release conditions and an individual's likelihood to appear in court. The Bail Project - St. Louis has a 94.5% re-appearance rate for individuals they have bailed out since December 1, 2017. Ex. CC; *also see* Tim Schnacke, United States Department of Justice, National Institute of Corrections, Fundamentals of Bail: A Resources Guide for Pretrial Practitioners and a Framework for American Pretrial Reform (2014), available at http://www.clebp.org/images/2014-11-05_final_bail_fundamentals_september_8,_2014.pdf. Further, a decision-maker cannot determine risk to public safety based solely upon allegations of charges.

33. Defendants' policies and practice regarding bond further violate Missouri state law requirements and Missouri Supreme Court rules. Mo. Rev. Stat. § 544.457; Mo. Rev. Stat. § 544.455; Mo. S. Ct. R. 33.05; Mo. S. Ct. R. 33.06.

34. As the result of Defendants' policies and practices, indigent and poor detainees are subject to *de facto* orders of detention based solely on their economic circumstances.

35. Defendants have long been aware that their policies and procedures violate St. Louis City detainees' equal protection, substantive due and procedural due process rights, but have failed to take action. As far back as 1990, the Eastern District of Missouri entered an order stating:

[St. Louis City] detainees are not convicts; they are waiting for trial. Therefore, neither the State of Missouri nor the City of St. Louis can impose penal punishment upon any individual not yet proven guilty, in the absence of a specific judicial finding denying the individual defendant bail.

Tyler v. United States, 737 F.Supp. 531, 537 (E.D. Mo. 1990) (citing *Bell v. Wolfish*, 441 U.S. 520, 539 (1979); *Campbell v. Cauthron*, 623 F.2d 503, 505 (8th Cir. 1980)).

**ST. LOUIS' UNCONSTITUTIONAL PRETRIAL PRACTICES HARM INDIVIDUALS
AND COMMUNITIES**

36. Due to the Defendants' unconstitutional policies and practices, less than 5% of individuals are ordered released without any monetary conditions. As a result, over one thousand individuals are detained in St. Louis *every day*—around 85% of which are being held pretrial and are therefore presumptively innocent—solely because they are too poor to pay the monetary release conditions imposed without any hearing, let alone a hearing that meets constitutional standards.

37. The majority of people in jail pretrial are incarcerated at “the Workhouse” where they face unconscionable conditions, including but not limited to: extreme heat and cold, abysmal medical care, rat and cockroach infestations, snakes and mold. There is a documented history of inmate abuse by jail guards, deaths and suicides in the jail, and inadequate training of jail staff. *E.g.*, *Cody v. City of St. Louis*, No. 4:17-cv-2707 (E.D. Mo. Nov. 13, 2017); Ex. A, ¶¶ 10-15; Ex. B, ¶ 7; Ex. C, ¶ 16; Ex. D, ¶ 10; Ex. G, ¶ 10; Ex. H, ¶ 12; Ex. K, ¶¶ 6-7; Ex. L, ¶¶ 5-6; Ex. M, ¶¶ 3, 8-10; Ex. N, ¶ 7; Ex. Q, ¶ 7. Thus, Defendants force individuals who are too poor to pay for their freedom to suffer unnecessary and intolerable conditions of confinement because of their policies and practices.

38. Prior to detained individuals' transfer to the Workhouse, individuals are kept in a holding cell at CJC without access to showers or medical care. These individuals, some of whom are held nearly a week before transfer are denied access to applications for a public

defender until their transfer to the Workhouse. Ex. A, ¶¶ 2, 16; Ex. B, ¶ 4; Ex. E, ¶ 2; Ex. F, ¶ 3; Ex. H, ¶ 13; Ex. J, ¶ 4; Ex. M, ¶ 8; Ex. O, ¶ 2; Ex. P, ¶¶ 2-5.

39. Further, it is well documented that pretrial incarceration harms individuals' lives far beyond their loss of liberty and the conditions they face in jails. Collateral consequences of pretrial incarceration include:

- Loss of income and wages when individuals lose their jobs because of their incarceration;
- Loss of housing and missed payments on bills because individuals cannot work or pay bills while incarcerated;
- Loss of physical and/or legal custody of children;
- An increase of mental illness symptoms because conditions in jail can put an individual under a lot of stress and restrict access to needed medications, exacerbating or even causing mental illness; and
- Increased risk of assault, including sexual assault, are shockingly common in St. Louis jails, especially in the first few days of incarceration.

Close the Workhouse, A Plan to Close the Workhouse & Promote a New Vision for St. Louis (2018), <https://www.closetheworkhouse.org/new-close-the-Workhouse-report>; Melissa Neal, Bail Fail: Why the U.S. Should End the Practice of Using Money for Bail, Justice Policy Institute (2012), <http://www.justicepolicy.org/uploads/justicepolicy/documents/bailfail.pdf>.

40. In addition, merely being detained pretrial can have a significant impact on the legal outcome of an individual's case. Detained people have a harder time preparing for their defense, gathering evidence and witnesses, and meeting with their lawyers. It is also well documented that those detained pretrial face worse outcomes at trial and sentencing than those released pretrial, even when charged with the same offenses. Data collected by the Bail Project - St. Louis demonstrates the stark difference in outcomes. 53% of individuals they have bailed out see their cases dismissed. *See* Ex. CC. Nationally, individuals incarcerated pretrial have a 13% increased chance of being found guilty, have a 21% increased chance they will plead guilty, are

four times more likely to be sentenced to jail times, and have three times longer jail sentences (an average of 4.6 months longer) than those free while waiting for their trial. Christopher Lowenkamp, et al., *Investigating the Impact of Pretrial Detention on Sentencing Outcomes*, Laura and John Arnold Foundation (November, 2013), available at <https://university.pretrial.org/viewdocument/investigating-the-im>; Megan Stevenson (2018), *Distortion of Justice: How the Inability to Pay Bail Affects Case Outcomes*. *The Journal of Law, Economics, and Organization*, Vol. 34, Issue 4 (511-542). <https://doi.org/10.1093/jleo/ewy019>. Also see Harvey, T. B., Rosenfeld, J. H., & Tomascak, S. (2017). Right to Counsel in Misdemeanor Prosecutions After *Alabama v. Shelton*: No-Lawyer-Courts and Their Consequences on the Poor and Communities of Color in St. Louis. *Criminal Justice Policy Review*, 29(6-7), 688-709. doi:10.1177/0887403417743301.

41. Thus, the policy or practice of issuing *de facto* detention orders by setting unaffordable monetary bail without process or requisite findings results in significant collateral consequences to individuals based solely on their economic status.

Class Action Allegations

42. The named Plaintiffs bring the Claims in this action, on behalf of themselves and all others similarly situated, as a class action under Federal Rules of Civil Procedure 23(a)(1)-(4) and 23(b)(2).

43. Under Federal Rule of Civil Procedure 23(a), certification of a class is appropriate where: (1) the class is so numerous that joinder of all members is impracticable; (2) there are questions of law or fact common to the class; (3) the claims or defenses of the representative parties are typical of the claims or defenses of the class; and (4) the representative parties will fairly and adequately protect the interests of the class. Fed. R. Civ. P. 23(a).

44. This class is composed of all arrestees who are or will be detained in the Workhouse or CJC, operated by the City of St. Louis, post-arrest because they are unable to afford to pay the monetary release conditions.

45. This action is brought and may properly be maintained as a class action pursuant to Rule 23(a)(1)–(4) and Rule 23(b)(2) of the Federal Rules of Civil Procedure. This action satisfies the requirements of numerosity, commonality, typicality and adequacy. Fed. R. Civ. P. 23(a).

Numerosity and Impracticability of Joinder

46. The proposed class is composed of all individuals who are detained in St. Louis' custody pretrial without an opportunity to challenge their release conditions and without any inquiry into their ability to pay the preset secured bond amounts.

47. On average, 85% of individuals in St. Louis' jail are incarcerated while awaiting their trial because they cannot afford monetary conditions of their bail. *Monthly Report*, July 2018, St. Louis City Department of Public Safety, Division of Corrections, <https://www.stlouis-mo.gov/government/departments/public-safety/corrections/documents/upload/JULY-2018-REPORTING-OF-STATISTICS.pdf>; Close the Workhouse, A Plan to Close the Workhouse & Promote a New Vision for St. Louis (2018), <https://www.closetheworkhouse.org/new-close-the-workhouse-report> (last visited January 27, 2019). The vast majority of individuals who are incarcerated pretrial in St. Louis are impoverished. The number of current and future individuals subject to Defendants' policies and practices who will remain incarcerated and be unconstitutionally stripped of their liberty—if it is not enjoined—numbers well into the thousands every year.

48. Joinder is impracticable because of the numerosity of the class and their impoverished economic status.

Commonality

49. Common questions of law and fact exist as to all members of the class. The named Plaintiffs seek common declarative and injunctive relief concerning whether Defendants' wealth-based policies, practices, and procedures violate the rights of the class members, and relief mandating that the Defendants stop these constitutional violations.

50. The Plaintiffs' claims raise common legal and factual questions arising from one central set of policies and practices: Defendants' post-arrest procedurally deficient bail setting and wealth-based detention system. Defendants operate this system in materially the same manner every day with respect to all individuals arrested and held in St. Louis' pretrial custody. Resolution of these legal and factual issues will determine whether all of the members of the class are entitled to the constitutional relief that they seek.

51. Among the most important common questions of fact for the class are:

- a. Whether Defendants have a policy and practice where Defendants set pretrial release conditions without process or a hearing;
- b. Whether, when, and how any official determines what conditions of pretrial release should be and whether, for example, any official considers ability to pay, makes findings concerning ability to pay, and offers non-monetary release conditions for those unable to pay;
- c. What standard post-arrest procedures created, implemented, and enforced by the Defendants apply to arrestees; for example, whether Defendants use any other

alternate procedures for promptly releasing indigent people determined otherwise eligible for release but who are unable to afford a monetary payment;

- d. How long individuals arrested must wait in jail after arrest before they have an opportunity to challenge pretrial release conditions, raise their inability to pay for their release or to request alternative, non-monetary conditions;
- e. How long individuals arrested must wait to be appointed an attorney that may challenge their pretrial detention;
- f. Whether the Sheriff instructs defendants not to speak before the video conference at which their charges are read and release conditions are announced;
- g. The role of the City Bond Commissioner's Office in the setting of bail and conditions of release, whether any individualized analysis occurs, and whether and how inability to pay is considered;
- h. The standards and factors used by judges to set release conditions; and
- i. Any supervision or training given to City employees and used to help determine release conditions.

52. Among the most important common questions of law are:

- a. Whether requiring an individual to pay money to secure release from pretrial detention without an inquiry into or findings concerning the individual's present ability to pay the amount required, the need for detention, and less restrictive alternative release conditions, violates the Fourteenth Amendment's Due Process and Equal Protection clauses; and
- b. Whether it is lawful to impose a monetary release condition that operates as a *de facto* order of pretrial detention because of a person's inability to pay without

complying with the substantive findings, legal standards, and procedures required for issuing and enforcing a *de facto* order of preventive detention.

- c. Whether the setting of pretrial release conditions without an individual's ability to consult and be represented by Counsel violates the Fourteenth Amendment's Due Process clause;

Typicality

53. The Named Plaintiffs' claims are typical of the claims of the other members of the class. Each class member is incarcerated in St. Louis custody pretrial and remains incarcerated based on the same lack of due process, suffering the same injury because Defendants refuse to comply with basic due process constitutional requirements. Class members all remain confined in jail because they cannot afford to pay the Defendants' secured money bail. The answer to whether the Defendants' policies and practices are unconstitutional will determine the specific claims and specific relief sought by the Named Plaintiffs and every other class member. All class members seek the same declaratory and injunctive relief.

Adequacy

54. The Named Plaintiffs are adequate representatives of the class because their interests in the vindication of the legal claims they raise are entirely aligned with the interests of the other class members, each of whom has the same basic constitutional claims. The Named Plaintiffs are members of the class, and their interests do not conflict with those of the other class members.

55. There are no known conflicts of interest among members of the proposed class. All of the members of the class have a similar interest in vindicating their constitutional rights in the face of Defendants' pay-for-freedom and no process post-arrest detention system.

56. Plaintiffs are represented by attorneys from ArchCity Defenders, the Advancement Project, Civil Rights Corps, and the Institute for Constitutional Advocacy and Protection. Plaintiffs' counsel have experience litigating complex civil rights matters in federal court and extensive knowledge of both the details of Defendants' unconstitutional actions and the relevant law. Counsels' relevant qualifications are more fully set forth in the contemporaneously filed Motion for Class Certification.

57. The combined efforts of class counsel have so far included extensive investigation into money bail schemes and pretrial release condition processes over the last year, including dozens of interviews with individuals in St. Louis' pretrial jail, conversations with attorneys practicing in state courts throughout the region, community members, statewide experts in the functioning of state and local courts, empirical researchers, and consultation with national experts in constitutional law, post-arrest procedure, law enforcement, judicial procedures, criminal law, pretrial services, and jails. Local counsel has additionally represented individuals in state criminal court who are detained pretrial.

58. Counsel have devoted significant time and resources to becoming intimately familiar with Defendants' unconstitutional pretrial incarceration system and related laws. The interests of the members of the class will be fairly and adequately protected by the Plaintiffs and their attorneys.

Injunctive or Declaratory Relief — Rule 23(b)(2)

59. Class-action status is appropriate because the Defendants, through the policies, practices, and procedures that make up its wealth-based post-arrest detention system, have acted in the same unconstitutional manner with respect to all class members.

60. The class therefore first seeks declaratory relief, requesting this Court find that current processes and practices relating to the conditions of pretrial release in the St. Louis City courts violate individuals' rights.

61. The class also seeks injunctive relief to institute a constitutional custody-process and to prevent the Defendants from detaining individuals pretrial who have not been afforded this process and who remain incarcerated because they cannot afford cash payments and the judges have failed to consider their economic circumstances or the availability of less restrictive pretrial release conditions.

62. Because the putative class challenges the Defendants' system as unconstitutional through declaratory and injunctive relief that would apply the same relief to every member of the class, Rule 23(b)(2) is appropriate and necessary.

63. Further, a class action is a superior means, and the only practicable means, by which the Named Plaintiffs and unknown Class members can challenge the Defendants' unconstitutional actions and obtain the necessary immediate declaratory and injunctive relief sought for themselves and all other members of the class.

Appointment of Class Counsel Rule 23 (g)

64. Fed. R. Civ. P. 23(g). Federal Rule of Civil Procedure 23(g) requires that the court appoint class counsel for any class that is certified. Fed. R. Civ. P. 23(g)(1). Class counsel must "fairly and adequately represent the interests of the class."

65. For reasons fully set forth in the Brief in Support of Motion for Class Certification, undersigned counsel meet the factors the court must consider under Rule 23 (g): 1) "the work counsel has done in identifying or investigating potential claims in this action"; 2) "counsel's experience in handling class actions, other complex litigation, and the types of claims

asserted in the action;” 3) “counsel’s knowledge of the applicable law;” and 4) “the resources that counsel will commit to representing the class.”

CLAIMS FOR RELIEF

COUNT I

Defendants Violate Plaintiffs’ Fourteenth Amendment Rights to Equal Protection and Due Process through a Policy or Practice that Jails Individuals Based on their Poverty under 42 U.S.C. § 1983

By Named Plaintiffs on behalf of themselves and all others similarly situated, against all Defendants

66. Plaintiffs incorporate by reference each and every allegation contained in the preceding paragraphs as if set forth fully herein.

67. Plaintiffs have a right against wealth-based detention. In the pretrial detention context, courts have regularly found that setting arbitrary monetary release conditions that exceed an individual’s ability to pay violates the equal protection clause. The Fourteenth Amendment’s Equal Protection and Due Process Clauses prohibit jailing a person because of her inability to make a monetary payment. *Bearden v. Georgia*, 461 U.S. 660 (1983). Because Plaintiffs are detained based solely on their inability to pay, heightened scrutiny is implicated. *ODonnell v. Harris Cty.*, 892 F.3d 147, 161 (5th Cir. 2018) (“[T]he Supreme Court has found that heightened scrutiny is required when criminal laws detain poor defendants *because of* their indigence.”); *Tate v. Short*, 401 U.S. 395, 397-99 (1971); *Williams v. Illinois*, 399 U.S. 235, 241-42 (1970).

68. Defendants violate Plaintiffs’ substantive rights by enforcing against them a system of wealth-based detention that keeps them in jail solely because they cannot afford to make a monetary payment.

69. Defendants do not inquire into an individual's ability to afford monetary release conditions or consider less restrictive alternatives before recommending or setting unaffordable monetary bail.

70. Defendants' actions fail any form of scrutiny, as empirical research indicates no correlation between monetary release conditions and an individual's likelihood to appear in court.

71. Here, Defendants' policies and practice result in poor arrestees being detained when similarly situated wealthy arrestees are not, in violation of the Fourteenth Amendment. The Commissioner of Corrections and Sheriff enforce these unconstitutional detention orders. Thus Defendants deny individuals their equal protection and due process rights.

COUNT II

Defendants Violate Plaintiffs' Fourteenth Amendment Substantive Due Process Right to Liberty under 42 U.S.C. § 1983 By Named Plaintiffs on behalf of themselves and all others similarly situated, against all Defendants

72. Plaintiffs incorporate by reference each and every allegation contained in the preceding paragraphs as if set forth fully herein.

73. Defendants, acting under color of law, deny pretrial detainees their constitutionally protected right to liberty without any compelling state interest.

74. It is well settled that freedom from imprisonment "lies at the heart of the liberty that [the Due Process] Clause protects." *Zadvydas v. Davis*, 533 U.S. 679, 690 (2001); *Foucha v. Louisiana*, 504 U.S. 117, 80 (1992) ("Freedom from bodily restraint has always been at the core of the liberty protected by the Due Process Clause from arbitrary governmental action."). Pretrial detention infringes upon this right and may only be applied if it is "narrowly focuse[d]" to serve "compelling" interests. *United States v. Salerno*, 481 U.S. 739, 750 (1987).

75. The state's interest at the pretrial bond stage is limited to ensuring the accused will appear for trial and protecting the public from danger associated specifically with that individual's release. *Maryland v. King*, 569 U.S. 435, 452-54 (2013).

76. Here, the City's Bond Commissioner and individual judges fail to consider a particular detainee's likelihood to appear or whether that individual poses any danger to the community, and make no findings regarding the necessity of detention, before setting *de facto* detention orders through imposition of unaffordable monetary conditions of release. The Commissioner of Corrections and Sheriff enforce these unconstitutional detention orders. Thus Defendants deny pretrial detainees their fundamental right to liberty in the absence of any compelling government interest and in violation of their substantive due process rights.

COUNT III

**Defendants Violate Plaintiffs' Fourteenth Amendment Right to Procedural Due Process 42
U.S.C. § 1983
By Named Plaintiffs on behalf of themselves and
all others similarly situated, against all Defendants**

77. Plaintiffs incorporate by reference each and every allegation contained in the preceding paragraphs as if set forth fully herein.

78. Defendants provide absolutely no process before detaining individuals for weeks on unaffordable monetary release conditions. No hearing occurs, much less a hearing with sufficient process. Since no hearing occurs, no determination is made that any government interests require detention, in violation of Plaintiffs' procedural due process rights.

79. Before an individual may be detained pretrial, procedural due process requires an individual be given the opportunity to be heard "at a meaningful time and in a meaningful

manner” before being deprived of liberty. *Mathews v. Eldridge*, 424 U.S. 319, 333 (1976) (citing *Armstrong v. Manzo*, 380 U.S. 545, 552 (1965); *Grannis v. Ordean*, 234 U.S. 385, 394 (1914)).

80. Defendants’ total lack of procedures—including no notice that a hearing will occur, no notice that the issue at the hearing will be whether the individual arrested is a flight risk or poses a danger to the community, no hearing with the opportunity to present evidence and cross-examine witnesses, and no hearing with counsel present—flagrantly violates the Fourteenth Amendment.

81. Individuals who qualify for public defenders remain incarcerated an average of 4-5 weeks before they are given any hearing to challenge or modify their release conditions. Individuals who do not qualify for the public defender, but cannot afford to hire a private attorney, fair even worse—often being denied an opportunity to address their release conditions or discuss their financial status even longer. Conversely, wealthier individuals can obtain almost immediate release or obtain counsel to immediately challenge release conditions.

82. Defendant Judges’ failure to provide any process until an individual retains an attorney, combined with the setting of bond amounts unrelated to an individual’s ability to pay, denies Plaintiffs’ their fundamental right to liberty without procedural due process. The Commissioner of Corrections and Sheriff enforce these unconstitutional detention orders.

Requests for Relief

WHEREFORE, Plaintiffs and the other Class members request this Court issue the following relief:

- A. A declaratory judgment that Defendants violate the Named Plaintiffs’ and class members’ constitutional rights by issuing detention orders without due process;
- B. A declaratory judgment that Defendants violate the Named Plaintiffs’ and class members’ constitutional rights by operating a system of wealth-based detention that keeps them in jail because they cannot afford to pay monetary conditions of

release without an inquiry into or findings concerning ability to pay, without consideration of non-financial alternatives, and without findings that a particular release condition—or pretrial detention—is necessary to meet a compelling government interest;

- C. A declaratory judgment that when Defendants are determining conditions of release, an individualized determination on release conditions must occur promptly and at an individual hearing with the following procedures:
- Defendants must provide notice to the individual arrested that financial information will be collected and must explain the significance of the financial information to be collected;
 - Defendants must determine each individual's ability to pay money bail and the amount of money they can afford;
 - The individual arrested must be given an opportunity to be heard at the first opportunity concerning their ability to afford money bail and what non-monetary release conditions, if any, are necessary. The individual must have the opportunity to present evidence, make argument concerning those issues, and to contest any evidence or argument offered by the government concerning those issues;
 - The judge conducting the hearing must make substantive findings on the record about why an individual's continued incarceration is warranted and that no less restrictive alternatives to detention address the state's concerns;
 - The individual must be provided free counsel at the hearing;
- D. A declaratory judgment that the Sheriff and Commissioner of Corrections must not enforce any order requiring secured money bail or a monetary release condition that was imposed prior to an individualized hearing and that is not accompanied by a record showing that the procedures and findings described above were provided;
- E. An order permanently enjoining Defendants from operating and enforcing a system of wealth-based detention that keeps the Named Plaintiffs and class members in jail because they cannot afford a monetary release condition without an inquiry into or findings concerning ability to pay, without consideration of non-financial alternatives, and without any findings that a particular release condition—or pretrial detention—is necessary to meet a compelling government interest.
- F. An order permanently enjoining Defendants from operating and enforcing pretrial detention without constitutionally valid process that complies with the above outlined process;
- G. An order directing Defendant Sheriff not to instruct individuals in their custody to refrain from speaking at their hearings.

- H. A temporary restraining order requiring the Sheriff and Commissioner of Corrections to release the Named Plaintiffs unless they are provided the procedures stated above;
- I. Any other order and judgment this Court deems necessary to permanently enjoin Defendants from implementing and enforcing a system of wealth-based pretrial detention that keeps arrestees in jail because they cannot afford a monetary release condition without an inquiry into or findings concerning ability to pay, without consideration of non-financial alternatives, and without any findings that a particular release condition—or pretrial detention—is necessary to meet a compelling government interest;
- J. An order certifying the class defined above;
- K. An order and judgment granting reasonable attorneys' fees and costs pursuant to 42 U.S.C. § 1988, and any other relief this Court deems just and proper.

Dated: January 28, 2019

Respectfully submitted,

By: /s/ Sima Atri

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**INSTITUTE FOR CONSTITUTIONAL ADVOCACY
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/s/ Seth Wayne

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CIVIL RIGHTS CORPS

/s/ Alec Karakatsanis

Alec Karakatsanis

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forthcoming)

Civil Rights Corps

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Washington, DC 20006

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Fax: 202-609-8030

alec@civilrightscorps.org

Attorneys for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that on the 28th day of January, 2019, I electronically filed the foregoing with the clerk of the court for the U.S. District Court, Eastern District of Missouri, using the electronic case filing system of the Court. The Summons and Complaint will be served in accordance with the Federal Rules of Civil Procedure.

By: /s/ Sima Atri

DECLARATION OF DAVID DIXON

I, David Dixon, pursuant to 28 U.S.C. § 1746, declare as follows:

1. I am over the age of 18 and am of sound mind.
2. In St. Louis, you are guilty until proven innocent. Bond is set as a ransom of \$30,000 cash only. My family and I cannot afford to pay my bond. I was arrested by St. Louis police on January 10th and taken to CJC. The sheriffs transported me to what they called a hearing but was really just the judge talking to me for one minute.
3. Before this, the sheriff told me “you’re going to see a judge, just nod and say yes, sir and then come back out here.” I did not speak with a bond commissioner or anyone to ask for a bond reduction.
4. I had thought that I would have a chance to see a judge face-to-face to explain my situation. But I had to talk through a TV.
5. When the judge told me my bond amount of \$30,000, I couldn’t believe it. I was stunned. I heard someone say “that’s ransom!” I asked the judge where they expected me to get \$30,000. Judge Roither continued my case and said I should speak to an attorney. I tried to speak again but I was cut off by the judge. I cannot afford to hire an attorney and haven’t had a public defender assigned to me yet. I haven’t been back to court since that day.
6. My family is struggling because I am incarcerated. I am the caregiver for my paralyzed stroke-victim Vietnam vet uncle. My family hasn’t even told him that I’m incarcerated because he’s too sick and can’t get bad news like that. I am scared he will die while I am incarcerated.

7. I also provide financial support for my ten-year-old son Deshaun. I also help support my 17 year old son. It was his birthday on my second week at the Workhouse, and I missed it because I remain incarcerated.
8. I am a hard worker to support my family. I worked at my brother's car repair shop, the Best Autoplex on MLK Blvd. and for a temp service at Distribution Management Warehouse. But since I've been incarcerated and haven't been able to call anyone, I think I have been terminated from the warehouse job.
9. I have three sisters and one brother in St. Louis. I feel responsible for them and want to keep my promises, especially my promise to my grandmother to keep the family together. I could not be a flight risk - where would I even go?
10. Being incarcerated at the Workhouse has also been really hard. My bunkmate had a seizure and I watched the guards drag him face-first down the stairs to medical. The same night I felt my own eyes roll back in my head and realized I was having a seizure too. I have a history of epilepsy. The guards cuffed me and dragged me to medical. After 30 minutes of ice cubes and oxygen in medical, I was returned to my cell. I have bad migraines and very high blood pressure. I am not sure I will make it out of here. We are treated as animals and I am tired. I am a human and I just ask to be treated as one.
11. The food is horrible here. You get cornbread, a biscuit, and cake at every meal. The milk is diluted and off-white. Your food is cold and tasteless. I am unable to eat a lot of it.
12. The cells are also so unsanitary. When we try to organize to clean our cells, the COs tell us to stop because it will cause chaos as others will want to clean their cells too. There are bugs in my cell.

13. I observed three men on suicide watch left alone, naked wearing only green jumpsuits by the door, freezing.
14. It takes 2 to 3 weeks just to see a caseworker.
15. It is so cold at the Workhouse. In the corridors outside the housing units, it feels like outside. Water is seeping up through the floor, the roof is leaking, and there are holes in the windows.
16. At CJC before I was transferred to the Workhouse, conditions were also horrible. There were around 25 people kept in the holding cell, sleeping on concrete.
17. I am speaking up for myself but also so no one else has to go through this as I have had to. I wouldn't want anyone else to be here, to be another statistic, in a mad world where no one cares for us.
18. I declare under penalty of perjury that this declaration is true and correct.

Executed on January 25, 2019


David Dixon

DECLARATION OF JEFFREY ROZELLE

I, Jeffrey Rozelle, pursuant to 28 U.S.C. § 1746, declare as follows:

1. I am over the age of 18 and am of sound mind.
2. I was arrested on January 15th. Sitting here, on a bond I cannot afford, without a day in court, I feel guilty until proven innocent. My bond was set at \$15,000 cash only without me having pretrial with a bond commissioner.
3. I saw Judge Roither through a video-hearing and wasn't able to talk to the judge. The sheriff told me not to say anything. I decided to still ask for 10% and the judge just said I had to wait until I retained legal counsel to file a motion. I cannot afford to hire a lawyer and have not been assigned a public defender. I had another court date on January 24, but I didn't see a judge and I just heard that my case was continued for another month.
4. I know that it takes weeks to get a lawyer and even if they file a bond reduction motion there is no guarantee that my bond will be reduced. It takes even longer because the sheriffs don't let you apply for a public defender while you are at CJC.
5. It feels like it is all a scheme. I know of many people who just decide to convict themselves because they cannot wait in jail.
6. I provide very important and needed care for my children. I have 4 teenagers who are 14, 16, 17, and 18. I mentor them so they will live good lives.
7. The Workhouse is horrible. It feels as cold as outside. There is plexiglass falling in. There are rodents. There is mold in the showers.
8. I am living a reality where when you are arrested, you know a ridiculous bond will be set so that you end up bullied into taking a plea. Missouri is thirsty to just arrest you.

9. I declare under penalty of perjury that this declaration is true and correct.

Executed on January 25, 2019



Jeffrey Rozelle

DECLARATION OF AARON THURMAN

I, Aaron Thurman, pursuant to 28 U.S.C. § 1746, declare as follows:

1. I am over the age of 18 and am of sound mind.
2. I was arrested on January 15th. I am in jail because I cannot afford to pay the \$30,000 cash only bond set by Judge Roither. I never had the chance to explain to the judge or a bond commissioner how harmful it will be for my family that needs me for me to remain incarcerated because I cannot afford this bond.
3. When I was arrested, I was taken to CJC to a holding cell. I had a video-conference with the court the next morning. On our way to the room for court, a sheriff deputy told the whole line of us that we would have to let the judge read us our charges and tell us our bond. The sheriff told us that we could not speak to the judge and that if we did, they didn't want to hear us.
4. I went off what the sheriff was saying and thought "don't say nothing to the judge."
5. That morning, I went before a judge. The judge spoke to me through a video TV. She read my charges. I just listened to what she said and a sheriff walked me out. I knew I couldn't say nothing. The only question she asked me was whether I had an attorney. I didn't have an attorney and cannot afford to hire one. I haven't been appointed a public defender yet.
6. The judge told me that my bond was set at \$30,000 cash only without explaining why the bond was that amount. I have not been back to court since that day.
7. I heard the judge talk to other people that morning and people all had different bond amounts. It seemed like the bonds were being set at random.

8. No one explained to me why my bond was so high. No one interviewed me before my bond was set and no one has interviewed me since then.
9. I cannot afford to pay a bond of \$30,000. My family could never afford that and keep living.
10. I am from St. Louis and have lived here my whole life. My girlfriend and I used to live together until I moved back to my mom's house to help care for my siblings and their kids in December of 2018. My sister is very sick and was recently diagnosed with stage IV breast cancer. I live with my three siblings, my mom, and my siblings' kids in St. Louis.
11. I have never missed a court date in a criminal case before.
12. My incarceration since my arrest has been very difficult for me and my family.
13. I moved back home to care for my sister. We are very close. My sister was pregnant and went into early labor. When my niece was born, the doctors learned that my sister has Stage IV cancer. My family has had to care for her since then and all the siblings have moved home so that we can all care for her together.
14. However, my siblings work so the care for both my very sick sister and my siblings' kids falls on me. I am my sister's full time nurse. During the day I do anything she needs and at night I will wake up to get her medication or care for her when she's in pain. I also care for my sister's four children, my other siblings' two kids, and my own three daughters. I am very close with my daughters. In the morning I will get all the kids ready for school, at night I will prepare dinner, play with them, bathe them, and get them ready for bed. By the end of my days I am exhausted but I know my family needs me.

15. Being here is so hard. I haven't been able to sleep. It is so hard to be here knowing what my sister is going through and what's going on at home. I keep everything in and can't even bring myself to get on the phone to talk to them I'm too sad.
16. On top of it, conditions at the Workhouse are so bad. It is so cold in the dorms at the Workhouse. The showers are disgusting. They smell like mold. There are 40 people in my dorm and only 2 showers that work. We have to clean them ourselves and all they give us is a spray bottle with disinfectant. There is only one phone that works. The guards never come in to supervise. The Workhouse is not a livable place.
17. I declare under penalty of perjury that this declaration is true and correct.

Executed on January 24, 2019



Aaron Thurman

DECLARATION OF RICHARD ROBARDS

I, Richard Robards, pursuant to 28 U.S.C. § 1746, declare as follows:

1. I am over the age of 18 and am of sound mind.
2. I grew up in St. Louis and live in south St. Louis. I was arrested on January 10th. I went first to the Justice Center and was interviewed by a detective.
3. I'm in jail because I cannot afford to pay the bond set by the judge in my case. I never met with a bond commissioner or had any pretrial.
4. I was told by the sheriff that I couldn't talk when I went in front of the judge.
5. My bond was set at \$10,000/10% without anyone asking me questions.
6. When I went before the TV judge, he just read my charges and bond and then asked me to step out. He cut people off. I would have liked to ask for a bond reduction.
7. My family cannot afford my bail, I have to stay in jail. My family has debt and I have a son on the way.
8. I applied for a public defender because I can't afford to hire an attorney, but I haven't yet heard from them.
9. I have not been back to court since I saw Judge Roither.
10. In here, no one wants to do their job. This place is dirty, with black mold everywhere, with rats, and mice. The ceiling fell in upstairs so it is overcrowded downstairs.
11. Because I'm in jail, I missed when the mother of my baby son went to the ultrasound to find out the baby's sex. We will have a son in July.
12. Being in jail is so hard because there is no one to care for her.

13. I declare under penalty of perjury that this declaration is true and correct.

Executed on January 24, 2019

A handwritten signature in blue ink, appearing to read "Richard Robards", is written over a horizontal line.

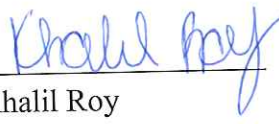
Richard Robards

DECLARATION OF KHALIL ROY

I, Khalil Roy, pursuant to 28 U.S.C. § 1746, declare as follows:

1. I am over the age of 18 and am of sound mind.
2. I was arrested on January 23, 2019. I haven't really been able to eat and sleeping is hard.
I was locked up at the CJC in an open area outside the holding cell. There was at least 10 other men in there and it was very tight.
3. My bond is set at \$1,000 cash only. My family is trying to get the money together to pay it, but it is hard.
4. Yesterday morning I went to see the judge through a video conference. He read my charges, told me my bond, and asked if I had a lawyer.
5. I didn't ask him any questions. No one else was asking questions either.
6. No bond commissioner interviewed me.
7. I have lived in St. Louis my whole life and my family is here, too.
8. Right now, I live with my girlfriend and my brother. I contribute a lot of the money for rent and bills.
9. I currently have two job interviews lined up. One is today. If I'm not released and miss the interview, I probably won't get the job and will miss the opportunity.
10. Even though my bond is \$1,000, it is more than my family can afford.
11. My brother is disabled and cannot work. My girlfriend and I provide for him. At home, I help take care of him by taking him to doctor appointments and helping with his medication. Without me, my girlfriend is having to do all of it.
12. I declare under penalty of perjury that this declaration is true and correct.

Executed on January 25, 2019

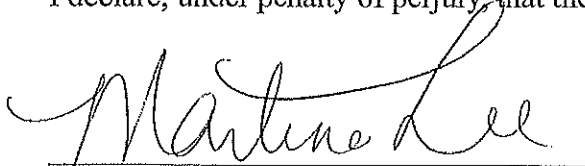

Khalil Roy


DECLARATION OF MARTINA LEE

I, Martina Lee, pursuant to 28 U.S.C. § 1746, hereby declare as follows:

1. I am over the age of 18 and of sound mind.
2. My brother, Reginald Lee, is incarcerated at the Medium Security Institution, and my family is desperate to have him home, but we are unable to bail him out because his bond is so high.
3. Reginald and I are really the only ones left in our family, besides my two sons. We love each other and take care of each other. We rely on each other to get by and support each other. I really don't know what to do without him.
4. Reginald helps me if I need to go to the store, to the doctor, and the pharmacy. He really helps support me in everything.
5. I have two sons, and Reginald is important to them. He spends time with them and talks to them. He is a great uncle.
6. I have no money to put towards Reginald's bail. My sons and I are currently homeless, and I don't even have bus fare. I can't even accept his phone calls because I can't afford it. We are poor. We have no one to lean on.
7. I have no way of helping him, and I cannot even communicate with him.
8. We need Reginald home because he is our support system, and we are in trouble without him, but we cannot afford the high bail that was set.

I declare, under penalty of perjury, that the foregoing is true and accurate.


Martina Lee


Date

PRETRIAL RELEASE COMMISSIONER'S REPORT

NAME OF ACCUSED: [REDACTED]

INTERVIEWED None

1. Nature and Circumstances of Charge:

Stlg m/r / Resist Arrest by fleeing

2. Family Ties:

3. Employment:

4. Financial Resources:

5. Character:

6. Mental Condition:

7. Length of Residence in the Community:

8. Record of Convictions:

ON PROBATION # [REDACTED] PAROLE # [REDACTED]

PENDING VIOLATION [REDACTED]

(P) INDICATES PENDING CASE WITH CURRENT BOND SETTING

Resist Arrest / UHw / ASH 2nd
Prob Revoked 18/24hr Confined

9. Record of appearance at court proceedings or flight to avoid prosecution of or failure to appear at court proceedings:

Assistant Pretrial Release Commissioner's Signature & Recommendation:

Victor J. Kelly \$0.000 cash only

CONDITION OF RELEASE

RECOMMEND DEFENDANT BE SCREENED FOR DIV#25A/RANT ELIGIBILITY ☐

REVISED JAN. 2015

THE BAIL PROJECT

The Bail Project
440 N. 4th Street
Suite 375
St. Louis, MO 63102

mikem@bailproject.org

314-518-0947



January 28, 2019

ArchCity Defenders
440 N. 4th St.
St. Louis, MO 63118

Dear ArchCity Defenders:

Since opening its doors in January, 2018, The Bail Project - St. Louis has paid over 1,300 bails with a median bail amount of \$1,000. Our clients have made 94.4% of their scheduled court appearances (*This value includes some instances of unintentional failure to appear that were ultimately excused by the court*) In the City of St. Louis, 53.4% of resolved cases have ended in a dismissal of all charges. The average age of clients served by the project is 32, over a third (35.6%) have children under age 18, and almost 3/4 (74.3%) are Black, reflecting well-documented racial disparities in St. Louis's pretrial jail population.

Michael Milton
Bail Project – St. Louis



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1822-CR03442 - ST V CALVIN LAMONT WILEY JR (E-CASE)

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11/29/2018 ☐ [Remove Case - Setting Docket](#)

Scheduled For: 12/04/2018; 10:00 AM ; NICOLE JEAN COLBERT BOTCHWAY; Carnahan Courthouse

☐ [Casefile Tranf GrandJury Indmt](#)

11/27/2018 ☐ [Bond Reduction Order](#)

THE COURT ORDERS BOND IN THE AMOUNT OF \$30,000.00 10% CASH ONLY OR SURETY CONTINUE TO REPORT TO PO MAY NOT BE AROUND WEOPONS SO ORDER JUDGE NICOLE COLBERT-BOTCHWAY 44856

☐ [Bond Set](#)

THE BOND IS SET AT \$30,000.00 10% CASH ONLY SO ORDERED JUDGE NICOLE COLBERT-BOTCHWAY 44856

11/21/2018 ☐ [Motion for Bond Reduction](#)

Motion to Reduce Bond; Electronic Filing Certificate of Service.

Filed By: JEFFREY THOMAS WALTEMATE

On Behalf Of: CALVIN LAMONT WILEY JR

☐ [Notice of Hearing Filed](#)

Notice of Hearing; Electronic Filing Certificate of Service.

Filed By: JEFFREY THOMAS WALTEMATE

11/13/2018 ☐ [Preliminary Hearing Scheduled](#)

Associated Entries: 11/29/2018 - [Remove Case - Setting Docket](#)

Scheduled For: 12/04/2018; 10:00 AM ; NICOLE JEAN COLBERT BOTCHWAY; Carnahan Courthouse

☐ [Hearing Continued/Rescheduled](#)

Hearing Continued From: 11/13/2018; 9:01 AM Hearing

11/07/2018 ☐ [Pub Defdr Fee Assessment Filed](#)

Fee Assessment; Electronic Filing Certificate of Service.

Filed By: JEFFREY THOMAS WALTEMATE

On Behalf Of: CALVIN LAMONT WILEY JR

☐ [Motion for Discovery](#)

Filed By: JEFFREY THOMAS WALTEMATE

☐ [Entry of Appearance Filed](#)

Entry of Appearance; Electronic Filing Certificate of Service.

Filed By: JEFFREY THOMAS WALTEMATE

10/26/2018 ☐ [Hearing Scheduled](#)**Associated Entries: 11/13/2018 - Hearing Continued/Rescheduled****Scheduled For:** 11/13/2018; 9:01 AM ; NICOLE JEAN COLBERT BOTCHWAY; Carnahan Courthouse☐ **Hearing Continued/Rescheduled****Hearing Continued From:** 10/26/2018; 10:00 AM Initial Arraignment☐ **Initial Arraignment Scheduled****Associated Entries: 10/26/2018 - Hearing Continued/Rescheduled****Scheduled For:** 10/26/2018; 10:00 AM ; MADELINE O CONNOLLY; Carnahan Courthouse☐ **Warrant Served**

Document ID - 18-STARW-1813; Served To - WILEY, CALVIN LAMONT; Server - ST LOUIS METROPOLITAN POLICE; Served Date - 25-OCT-18; Served Time - 08:00:06; Service Type - Police Department; Reason Description - Served

10/18/2018 ☐ [Entry of Appearance Filed](#)

ENTRY OF APPEARANCE FOR THE PLAINTIFF STATE OF MISSOURI; Electronic Filing Certificate of Service.

Filed By: JUSTIN COLBY STRAYHORN**10/02/2018** ☐ [Warrant Issued](#)

Document ID: 18-STARW-1813, for WILEY, CALVIN LAMONT. , Bond Amount: 50,000.00, Bond Text: BOND SET AT \$50,000 CASH ONLY

☐ [Bond Set](#)

BOND SET AT \$50,000 CASH ONLY PER JUDGE NICOLE COLBERT-BOTCHWAY

☐ [Probable Cause Statement Filed](#)**Filed By:** KARELIA STEPHANIE RAJAGOPAL☐ [Complaint Filed](#)**Filed By:** KARELIA STEPHANIE RAJAGOPAL☐ [Warrant Requested](#)**Filed By:** KARELIA STEPHANIE RAJAGOPAL☐ **Judge Assigned**

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1822-CR03462 - ST V DION JOSEPH CLERK (E-CASE)

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11/29/2018 ☐ [Motion for Discovery](#)

REQUEST FOR DISCOVERY; Electronic Filing Certificate of Service.

Filed By: ADRIANO ALFONSO MARTINEZ

☐ **Waiver of Preliminary Hearing**
Associated Entries: 10/30/2018 - [Hearing Continued/Rescheduled](#)
Associated Entries: 10/30/2018 - [Hearing Scheduled](#)
Scheduled For: 11/29/2018; 9:01 AM ; NICOLE JEAN COLBERT BOTCHWAY; Carnahan Courthouse

☐ **Remove Case - Setting Docket**
Scheduled For: 12/12/2018; 9:30 AM ; ROCHELLE MONEA WOODIEST; Carnahan Courthouse

☐ **Casefile Tranf GrandJury Indmt**

11/07/2018 ☐ **Order**

POST PLEA DIVISION 25A ELIGIBILITY ORDER FILED. SO ORDERED: COMMISSIONER ROCHELLE M. WOODIEST 49376

☐ **Case Review Scheduled**
Associated Entries: 11/29/2018 - [Remove Case - Setting Docket](#)
Scheduled For: 12/12/2018; 9:30 AM ; ROCHELLE MONEA WOODIEST; Carnahan Courthouse

☐ **Hearing Continued/Rescheduled**
Hearing Continued From: 11/07/2018; 9:30 AM Case Review

11/02/2018 ☐ **Case Review Scheduled**
Associated Entries: 11/07/2018 - [Hearing Continued/Rescheduled](#)
Scheduled For: 11/07/2018; 9:30 AM ; ROCHELLE MONEA WOODIEST; Carnahan Courthouse

☐ **Hearing Continued/Rescheduled**
Hearing Continued From: 11/02/2018; 9:00 AM Case Review

10/30/2018 ☐ [Hearing Scheduled](#)
Associated Entries: 11/29/2018 - [Waiver of Preliminary Hearing](#)
Scheduled For: 11/29/2018; 9:01 AM ; NICOLE JEAN COLBERT BOTCHWAY; Carnahan Courthouse

☐ [Bond Reduction Order](#)

THE COURT ORDERS BOND IN THE AMOUNT OF \$5,000.00 10% CASH ONLY SCREEN FOR DRUG COURT ON 11/2/18 SO ORDER JUDGE NICOLE COLBERT-BOTCHWAY 44856

☐ **Bond Set**
☐ **Hearing Continued/Rescheduled**

Hearing Continued From: 10/30/2018; 9:01 AM Hearing

☐ **Case Review Scheduled**

Associated Entries: 11/02/2018 - Hearing Continued/Rescheduled

Scheduled For: 11/02/2018; 9:00 AM ; ROCHELLE MONEA WOODIEST; Carnahan Courthouse

☐ **Order**

ORDER FOR DIV 25A SCREENING AND ELIGIBILITY EVALUATION SO ORDERED : JUDGE NICOLE COLBERT-BOTCHWAY 44856

10/29/2018

☐ [Answers to Disclosure Filed](#)

Supplemental Voluntary Disclosure; Electronic Filing Certificate of Service.

Filed By: NICHOLAS DECKER BROWN

10/25/2018

☐ **Motion for Bond Reduction**

Motion to Reduce Bond; Electronic Filing Certificate of Service.

Filed By: ANNE RUSK LEGOMSKY

On Behalf Of: DION JOSEPH CLERK

☐ [Notice of Hearing Filed](#)

Notice of Hearing; Electronic Filing Certificate of Service.

Filed By: ANNE RUSK LEGOMSKY

10/18/2018

☐ [Pub Defdr Fee Assessment Filed](#)

Fee Assessment for Dion Clerk; Electronic Filing Certificate of Service.

Filed By: ANNE RUSK LEGOMSKY

On Behalf Of: DION JOSEPH CLERK

☐ [Motion for Discovery](#)

Filed By: ANNE RUSK LEGOMSKY

☐ [Entry of Appearance Filed](#)

Entry of Appearance; Electronic Filing Certificate of Service.

Filed By: ANNE RUSK LEGOMSKY

☐ [Entry of Appearance Filed](#)

States Entry of Appearance; Electronic Filing Certificate of Service.

Filed By: ADRIANO ALFONSO MARTINEZ

10/16/2018

☐ [Hearing Scheduled](#)

Associated Entries: 10/30/2018 - Hearing Continued/Rescheduled

Scheduled For: 10/30/2018; 9:01 AM ; NICOLE JEAN COLBERT BOTCHWAY; Carnahan Courthouse

☐ **Hearing Continued/Rescheduled**

Hearing Continued From: 10/16/2018; 9:05 AM Setting - Preliminary Hearing

10/04/2018

☐ **Arraignment Held**

Scheduled For: 10/04/2018; 10:00 AM ; NICOLE JEAN COLBERT BOTCHWAY; Carnahan Courthouse

☐ **Hearing Continued/Rescheduled**

Hearing Continued From: 10/16/2018; 9:00 AM Hearing

☐ [Setting - Prelim Hrg Scheduled](#)

Associated Entries: 10/16/2018 - Hearing Continued/Rescheduled

Scheduled For: 10/16/2018; 9:05 AM ; NICOLE JEAN COLBERT BOTCHWAY; Carnahan Courthouse

☐ **Hearing Scheduled****Associated Entries: 10/04/2018 - Hearing Continued/Rescheduled****Scheduled For:** 10/16/2018; 9:00 AM ; NICOLE JEAN COLBERT BOTCHWAY; Carnahan Courthouse☐ **Initial Arraignment Scheduled****Associated Entries: 10/04/2018 - Arraignment Held****Scheduled For:** 10/04/2018; 10:00 AM ; NICOLE JEAN COLBERT BOTCHWAY; Carnahan Courthouse**10/03/2018**☐ **Bond Set**

BOND SETTING- 10,000 CASH ONLY PER JUDGE DAVID L DOWD

☐ **Filing:****Filed By:** KARELIA STEPHANIE RAJAGOPAL☐ **Probable Cause Statement Filed****Filed By:** KARELIA STEPHANIE RAJAGOPAL☐ **Warrant Requested****Filed By:** KARELIA STEPHANIE RAJAGOPAL☐ **Complaint Filed****Filed By:** KARELIA STEPHANIE RAJAGOPAL☐ **Return Service - Other**

DIV 25/26 CONFINED

☐ **Judge Assigned**

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1922-CR00117 - ST V DAVID BUSTER DIXON JR (E-CASE)

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01/15/2019 **Confid Filing Info Sheet Filed**

01/11/2019 **Hearing Scheduled**
 Scheduled For: 01/28/2019; 9:01 AM ; MADELINE O CONNOLLY; Carnahan Courthouse
Hearing Continued/Rescheduled
 Hearing Continued From: 01/11/2019; 10:00 AM Initial Arraignment
Initial Arraignment Scheduled
 Associated Entries: 01/11/2019 - Hearing Continued/Rescheduled
 Scheduled For: 01/11/2019; 10:00 AM ; DAVID A ROITHER; City of St. Louis

01/10/2019 **Return Service - Other**
 DIV 25/26 CONFINED
Bond Set
 BOND SETTING- 30,000 CASH ONLY PER JUDGE DAVID ROITHER
Probable Cause Statement Filed
 Filed By: JOSHUA ERIC LUBATKIN
Warrant Requested
 Filed By: JOSHUA ERIC LUBATKIN
Complaint Filed
 Filed By: JOSHUA ERIC LUBATKIN
Judge Assigned

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Case Header	Parties & Attorneys	Docket Entries	Charges, Judgments & Sentences	Service Information	Filings Due	Scheduled Hearings & Trials	Civil Judgments	Garnishments/ Execution
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01/24/2019 **Hearing Scheduled**
 Scheduled For: 02/26/2019; 9:01 AM ; THOMAS A MCCARTHY; Carnahan Courthouse
Hearing Continued/Rescheduled
 Hearing Continued From: 01/24/2019; 9:01 AM Hearing

01/11/2019 **Hearing Scheduled**
 Associated Entries: 01/24/2019 - Hearing Continued/Rescheduled
 Scheduled For: 01/24/2019; 9:01 AM ; THOMAS A MCCARTHY; Carnahan Courthouse
Hearing Continued/Rescheduled
 Hearing Continued From: 01/11/2019; 10:00 AM Initial Arraignment
Initial Arraignment Scheduled
 Associated Entries: 01/11/2019 - Hearing Continued/Rescheduled
 Scheduled For: 01/11/2019; 10:00 AM ; DAVID A ROITHER; City of St. Louis

01/10/2019 **Bond Set**
 BOND SETTING- \$15,000 CASH ONLY PER JUDGE DAVID A ROITHER
Return Service - Other
 DIV 25/26 CONFINED
Probable Cause Statement Filed
 Filed By: JOSHUA ERIC LUBATKIN
Warrant Requested
 Filed By: JOSHUA ERIC LUBATKIN
Complaint Filed
 Filed By: JOSHUA ERIC LUBATKIN
Judge Assigned

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1922-CR00174 - ST V AARON THURMAN (E-CASE)

Case Header	Parties & Attorneys	Docket Entries	Charges, Judgments & Sentences	Service Information	Filings Due	Scheduled Hearings & Trials	Civil Judgments	Garnishments/ Execution
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01/16/2019

Initial Arraignment Scheduled

Associated Entries: 01/16/2019 - Hearing Continued/Rescheduled

Scheduled For: 01/16/2019; 10:00 AM ; THOMAS A MCCARTHY; Carnahan Courthouse

Setting - Prelim Hrg Scheduled

Scheduled For: 02/19/2019; 9:05 AM ; THOMAS A MCCARTHY; Carnahan Courthouse

Warrant Served

Document ID - 19-STARW-99; Served To - THURMAN, AARON; Server - ST LOUIS METROPOLITAN POLICE; Served Date - 15-JAN-19; Served Time - 08:13:44; Service Type - Police Department; Reason Description - Served

Hearing Continued/Rescheduled

Hearing Continued From: 01/16/2019; 10:00 AM Initial Arraignment

01/15/2019

Warrant Issued

Document ID: 19-STARW-99, for THURMAN, AARON. , Bond Amount: 30,000.00, Bond Text: BOND SETTING- 30,000 CASH ONLY

Bond Set

BOND SETTING- \$30,000 CASH ONLY PER JUDGE ELIZABETH B HOGAN

Probable Cause Statement Filed

Filed By: JOSHUA ERIC LUBATKIN

Warrant Requested

Filed By: JOSHUA ERIC LUBATKIN

Complaint Filed

Filed By: JOSHUA ERIC LUBATKIN

Filing:

Filed By: JOSHUA ERIC LUBATKIN

Judge Assigned

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1922-CR00127 - ST V RICHARD D ROBARDS (E-CASE)

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01/11/2019

Hearing Scheduled

Scheduled For: 01/28/2019; 9:01 AM ; MADELINE O CONNOLLY; Carnahan Courthouse

Hearing Continued/Rescheduled

Hearing Continued From: 01/11/2019; 10:00 AM Initial Arraignment

Bond Set

THE BOND IS SET AT \$10,000 SECURED BY SURETY OR 10% CASH. SO ORDERED JUDGE DAVID ROITHER #51426.

Bond Reduction Order

THE COURT ORDERS THE CONDITIONS OF BOND MODIFIED TO \$10,000 SECURED BY SURETY OR 10% CASH. SO ORDERED JUDGE DAVID ROITHER #51426.

Initial Arraignment Scheduled

Associated Entries: 01/11/2019 - Hearing Continued/Rescheduled

Scheduled For: 01/11/2019; 10:00 AM ; DAVID A ROITHER; City of St. Louis

01/10/2019

Bond Set

BOND SETTING- 10,000 OR 10% CASH PER JUDGE DAVID ROITHER

Probable Cause Statement Filed

Filed By: JOSHUA ERIC LUBATKIN

Warrant Requested

Filed By: JOSHUA ERIC LUBATKIN

Complaint Filed

Filed By: JOSHUA ERIC LUBATKIN

Return Service - Other

DIV 25/26 CONFINED

Judge Assigned

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DECLARATION OF INDIA CARTER-STEWART

I, India Carter-Stewart, pursuant to 28 U.S.C. § 1746, declare as follows:

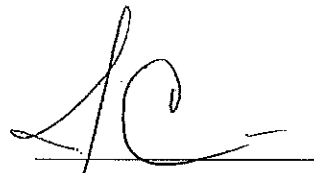
1. I am over the age of 18 and am of sound mind.
2. My incarceration since my arrest has been so difficult. I don't understand what is happening and thought I would get to talk to the judge.
3. I was arrested by the St. Louis police as a passenger. After a day, they took me to CJC where I went before a judge the next day. St. Louis then held me for a week at CJC in a small holding cell with so many other people. I wasn't able to shower for a week. After one week I was transferred to the Workhouse.
4. The Sheriff Deputies took me to see the judge. They didn't explain nothing.
5. I was never interviewed by a bond commissioner.
6. At my hearing the judge only told me what my charges were and my bond. The judge didn't not let me ask any questions. The sheriff took me away as soon as the judge told me the new court date, so I wasn't able to talk to the judge.
7. My bond was set at \$10,000, 10%. I can't afford even \$1000 so I am still in jail and don't know when I'll be able to get out. I have three kids and do not have money.
8. My son who is 5 years old stays with me. Right now, he is with my mother because I am in jail. She is struggling to care for him. She lives on her SSI and doesn't have enough money to pay for her own food and everything my son needs.
9. My other two kids are being cared for by my Auntie. Since she works at the post office, she has to bring them to daycare during the day, which costs her money.

10. Because I am in jail, I haven't been able to get recertified for food stamps. I am scared I will lose my food stamps and then neither I nor my mother will be able to care for my children.

11. I have never missed court.

12. I declare under penalty of perjury that this declaration is true and correct.

Executed on January 24, 2019



India Carter-Stewart

DECLARATION OF JAMES BRACKEN

I, James Bracken, pursuant to 28 U.S.C. § 1746, declare as follows:

1. I am over the age of 18 and am of sound mind.
2. I am nineteen years old. I graduated from high school in 2017 and since then have worked hard to find a job. It has been hard to find work but I was recently hired at a catering company. I am excited about my new job. I hope I have not lost it due to my incarceration.
3. I was arrested by St. Louis police. This is the first time I have been arrested for a criminal charge.
4. I was taken to CJC. The Sheriffs escorted me and the group of people to see a judge in Division 26 through a video screen.
5. The Sheriff told me, "Do not talk to the judge." They said, "Nobody talk or ask questions. We are just trying to get it done."
6. When I saw the judge, she just told me about my case and my bond.
7. I was hoping I would get to explain my side of the story and at least ask for a 10% on my bond.
8. I live with my mother and my little brother who is 13 years old. I help my mom out and help care for my brother as well. With the money I make at my new job at St. Louis Club Banquet Services, I help with rent, cable bills, clothes, and food for my little brother. I give my mom about \$700 a month. Since I'm in jail, my mom is having to get money from others in the family. It is really hard for my family so I'm just trying to get out of here to be with them again to be able to support them.

9. If my bond could have been reduced at all, even to a 10%, my family could work to collect the money. Even this would be really hard though. They would collect this money from their tax returns.
10. Being in the Workhouse is really hard for me. I'm just trying to keep my mind straight. The guards try to start fights here. It is also so cold; we all wake up sick. A lot of people are missing their medications.
11. I declare under penalty of perjury that this declaration is true and correct.

Executed on January 24, 2019

James Bracken

James Bracken


DECLARATION OF REGINALD LEE

I, Reginald Lee, pursuant to 28 U.S.C. § 1746, declare as follows:

1. I am over the age of 18 and am of sound mind.
2. I remain incarcerated because I cannot afford my bond. I just want to get back to what I love and home to my family so I can care for them.
3. I was arrested and taken to CJC. While waiting in line for my video-conference with a judge, a sheriff deputy told me not to ask for a bond reduction and to let the judge do all of the talking.
4. In front of the judge, I followed what the sheriff said and did not try to speak. The judge read my charges and bond amount before asking if I was hiring an attorney or applying for a public defender.
5. The judge told me that my bond was set at \$30,000 cash only.
6. No one explained to me why my bond was set so high. I didn't get a chance to speak with the judge. No one interviewed me before my bond was set and no one has interviewed me since then.
7. I cannot afford to pay a \$30,000 cash bond. My family could never afford that.
8. I was raised in St. Louis and have lived in St. Louis my whole life except for some time when I was working out of town. My entire extended family, including my sister and her children, my brother, and my eleven children live in St. Louis. Most of my children are grown. I live with my girlfriend in St. Louis.

9. It is my role to protect my sister and her son. I can't do that from inside of jail and I am always worried about what will happen to them. I just want to get back home to take care of my family.
10. My girlfriend is also relying on me. Since I've been arrested, her utilities were shut off. She has a two year old child that is suffering and there is nothing I can do for them.
11. I had a good job before I was arrested. I have now lost my job because I haven't been able to talk to anyone about being in here. I feel like I am losing everything in here.
12. They are holding us in horrible conditions at CJC and at the Workhouse. At CJC, my friend asked for his diabetic medicine and they maced him.
13. We were at CJC for six days. While we were held there, we weren't allowed to apply for a public defender. The Sheriff would not give us that paperwork. I had to wait 6 days when I was transferred to the Workhouse to be allowed to even apply for a lawyer and now I will have to wait.
14. I declare under penalty of perjury that this declaration is true and correct.

Executed on January 25, 2019


Reginald Lee

DECLARATION

x William Martin

x 01-17-2019
Date

1. I, William Martin, was arrested on January 14, 2019 and later booked at the Minimum Security Institution.
2. My bond is set at \$25,000, 10%. I am currently incarcerated because my family and I cannot afford the \$2500 cash for the 10%.
3. A Bond Commissioner did not interview me prior to going before the judge.
4. A Sheriff's deputy told me to keep my conversation short with the judge, and I did not have the chance to explain anything to the judge.
5. The judge did not ask me about my situation. If I had the chance, I would have told her I cannot afford the \$25,000 or the 10%. She did not inquire about my history or my family.
6. I have lived in St. Louis since I was one year old, and my family is here too. This is my first felony offense, and I had never been to the workhouse before.
7. My mother has difficulty seeing and getting around, so I help take care of her. Because I am locked up, my brother is having to leave work and come home to check on her. I help her around the house and take her places. ~~wherever~~
8. I also have a two-year-old daughter who I take care of every weekend while her mother works. I also support her financially. Because I am locked up, I am unable to provide that support, and my daughter's mother

will have to make other arrangements for childcare.

9. I wish my bond was something my family or I could afford to pay because I need to return home to care for my family.

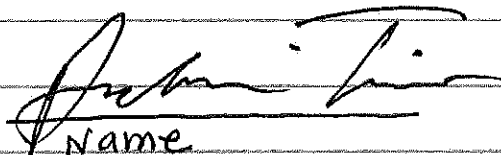
10.

x William Martin

01-17-2019

date

1. My name is Archie Tinyen. I am 26 years old. I was born in Liberia. I have been in the States for 11 years.
2. I was arrested three days ago for burglary and my bond was set at \$20,000 with 10%.
3. My mother and siblings live in St. Louis. I'm looking for a job right now. I have three sons under age 5. They don't live with me, but I care for them.
4. In here, a lot of people want to commit suicide because they know they can't pay bond. We are treated like animals. Being part of this system is like bringing "a butter knife to a gun fight."
5. During my video hearing, I tried to speak, but the sheriff told me to stop. I wanted to tell the judge that my charges did not match my crime.
6. My mother was able to pay my bond this morning, but I am still here.


Name

1/17/19
Date

1. My name is Jerry Moorehead. I am 31 years old. I am incarcerated at the Workhouse.
2. I was arrested Nov. 15, 2018. My bond was set at \$30,000 cash only without me ever discussing it with anyone.
3. Before my hearing with the TV judge, the sheriff said to everyone not to talk. If I had the chance, I would have asked the judge why the bond was so high. At the time, I had no other open cases in Missouri.
4. I grew up in South St. Louis City and live now in Maryland Heights. I have two children, ages 3 and 1. The 3 year old lives with me. I provide for both of them.
5. Prior to my arrest, I was working at McCalister's Deli on Manchester. I assume I was let go. I would struggle to find a new job and likely would go through temp service.
6. In the Workhouse, I feel okay but it is dirty. I notice the ceiling leaking, there is mold, there was only one shower open for 60 people for 30 days. The toilet leaks water all the way to the bunk.
7. A guard emptied two cans of mace on me while I was in a chokehold.

Jerry Moorehead

1-17-19

1. My name is Demyron Anderson. I am 34 years old. I live in St. Louis.
2. I was arrested on January 9. I have been in the Workhouse for a week. I think it was mistaken ^{identifi}.
3. I had a hearing in front of a TV judge while I was at the Justice Center. I never met with a bond commissioner. The judge read my charges and bond amount. I didn't get a chance to speak to the judge, but I wanted to say that I was innocent and that the bond was too high.
4. I was working at Express Employment before my arrest. I also do odd jobs for landlords. I like to help maintain properties.
5. The Workhouse is a hard place. I recently lost my mother and sister. I have mental health problems but have ^{not} been able to speak to a mental health professional.
6. I am not allowed to leave the dorm at all. I have problems because I'm not used to living in unsanitary conditions. I fear for my health because I am lonely. I can't talk to inmates or guards about my problems.

Demyron Anderson

NAME

1-17-2019

DATE

1. My name is Migwell Bryant. I am 24 years old. I was arrest on January 9th, 2019. My charges are child endangerment. My bond is \$25,000 cash only.

2. I am originally from California, but have lived in St. Louis for five years. My extended family now lives in St. Louis.

3. I am mentally challenged. I take medications - but they didn't give it to me for 6 days in here. I finally got my medication last night.

4. I have seizures. On January 12, I had a seizure while on the top bunk. The COs dragged me down 16 stairs head first while I was seizing and wrapped in a wool blanket.

5. I had hearing in front of a TV judge on January 10. The judge cut me off when I tried to explain; he said the prosecutor was taking notes.

6. The bond is too high for me and family to pay. I care for my mother, who has a hard time getting around and feeding herself. My brother is 21 years old, but unable to care for ~~for~~ himself because he was shot in the head. I help him with everything.

7. I have 4 children under age 7 and one on the way. I miss them and want to be there for them.

1/18/19

Date

Migwell Bryant

Name

8. The Justice Center and Workhouse don't take proper procedures for people with mental health and physical health problems.
9. In here, some COs are doing things that make me feel insecure.
10. My cell is very cold, There is mold, rodents, and the water runs black sometimes.

Miguel Bryant

Name

1/18/19

Date

1. My name is Maurice Dailey, I am 43 years old. I was born in St. Louis. My whole extended family is here.
2. I was arrested on January 7, 2019 for tampering. My bond was set at \$20,000 cash only. My co-defendant's bond was set at ~~\$20,000~~ 10,000 with 10% and released on own recognizance.
3. I didn't speak with anyone about my bond prior to my hearing with the TV judge.
4. The judge basically read my charges and bond then asked if I was hiring an attorney.
5. I have applied for a public defender. I understand ~~that~~ how this system is supposed to work and this is cruel.
6. My same charges in 1995 would have been much less bond.
7. They feed us bologna with ice on it. The eggs are frozen. The staff is disrespectful. The facility has been disgusting for years.

Maurice Dailey
Name

1-18-19
Date

1. My name is Justin Holman. I'm 22 years old and was born and raised in St. Louis.
2. I have a bond from ~~2016~~^a 2016 possession case set at \$25,000/10% and a probation violation bond at \$5000 cash only. I was arrested five days ago. I still haven't showered.
3. I was raised in St. Louis, but moved to Texas with my mother and father in February 2018. My girlfriend went with us, but was always planning to return to St. Louis to start school. My mother is a breast cancer survivor.
4. In Texas, I was working in a restaurant making \$13.50/hour. I was doing GED preparation.
5. On January 11, 2019 I returned to St. Louis in the new car I bought down in Texas. My mother doesn't work, but makes sacrifices to try to keep me away from the violence in St. Louis. I was in St. Louis taking my girl to start college at UMSL when I got pulled over. The

Justin Holman
Name

January 22, 2019
Date

→

police saw that I had a warrant in St. Louis City.

6. My grandmother lives in North St. Louis and my sister and niece live in Arnold, Missouri. I played sports at two local high schools.
7. This morning I stood in front of the TV judge for a few seconds. The sheriff told me that the judge was going to read my charges and bond. The judge just gave me the rundown and then said "Next".
8. I didn't get a chance to tell my circumstances. That was the reason I wanted to see the judge so he could understand and have some lenience. I'm tired of getting little violations. When I was in Texas, I kept thinking about how I don't want to keep running and want to put all of my past behind me. The women in my life motivate me. I don't want to be in jail and dealing with the system.

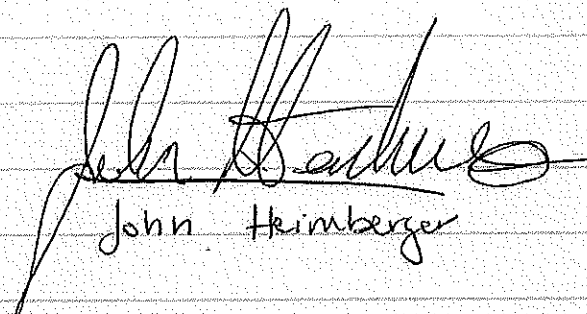
Justin Holman
Name

1-22-19
Date

1. I, John Heimberger, am over the age of 18 and of sound mind. I am from St. Louis.
2. I was arrested last week, seven days ago, and taken to CJC. At CJC, they put us all in a holding cell. There are 20 to 25 people in the holding cell that's only about 6 feet across by 14 feet.
3. We are all kept in the holding cell until you get transferred to the workhouse. I was there 6 days.
4. In the holding cell, people lay on the floor one on top of the other. You can't sleep because it's cold. They won't let us shower the whole time.
5. People can't access their medicine from the holding cell. One older man asked for his medication and guards maced him.
6. I still haven't been able to see a judge. It has been seven days since my arrest. They told me my bond was \$10,000 cash only at booking but I've had no opportunity to challenge the bond. I have no court date.
7. I cannot afford the bond so I will have to sit in jail until my court date and they decide to release

8. I declare under penalty of perjury that
this declaration is true and correct.

1-24-19
Date


John Heimberger

1. My name is Anthony Williams. I am 37 years old. I live in south city St. Louis.
2. I was arrested on Monday January 14th, 2019. The arrest was the result of a search warrant executed on my home during which police found a gun I used in celebration on New Years Eve. This is my only open case in Missouri.
3. Prior to my hearing with TV judge, the sheriff said "This is not a bond hearing." The sheriff said not to speak because it could make the judge mad. The judge was in a rush.
4. The judge clearly wanted everyone she saw to stay in the Workhouse because she was setting high bonds and not granting people 10% when they asked. I didn't ask for 10% because I heard previous detainees get denied and knew I didn't have any hope.
5. Being locked up hurts my mother. No one I know could do that - no one can afford my high bond.
6. I lost my job. I was about to start volunteering on a political campaign.
7. In the Workhouse, it is unsanitary and everything is set up against me.

Anthony Williams

01-17-19

DECLARATION OF DELILAH HARRIS

I, Delilah Harris, pursuant to U.S.C. § 1746, hereby declare as follows:

1. I am over the age of eighteen and of sound mind.
2. David Dixon is my uncle and is currently incarcerated on a \$30,000, cash only bond.
3. David is my favorite uncle, and he has been helping me raise my five children. He has always been there for my children and me. He will stop whatever he is doing to come and see what is wrong if I need him.
4. He is the male role model in their lives, and they all look up to him. Since he's been here with us, my kids are more respectful and are staying out of trouble. He sits down and talks to them when they don't listen to me. As soon as he comes in the door, they're running to see them and hug them.
5. David is my transportation since I don't drive. He takes me to doctor's appointments, to and from work, to the grocery store. He will also take the kids to school if they miss the bus.
6. I just had a baby, and David will also help babysit if I need childcare.
7. Since he has been locked up, there have been difficulties. I have had to find other means of transportation, like asking friends to take me to the store. I have to catch the bus in the cold to go to work. If my kids miss the school bus, then they have to either stay home or try to get the city bus.
8. It's also been difficult for the kids because he helps me keep them in order. They look up to him. My youngest two children don't even know where he is because I don't want to tell them. Everyone really misses having him at home.

9. Right now, I'm also dealing with a childcare issue. I had to miss work today because I don't have anyone to take care of my two-month-old. If he was not locked up, he would be taking care of the baby.

10. The \$30,000 cash bond is really unfair. Who has \$30,000 laying around? If it was lower, I would try to get him. But, I have five kids, and I just went back to work after having the baby.

I declare, under the penalty of perjury, that the foregoing statements are true and correct.



Delilah Harris

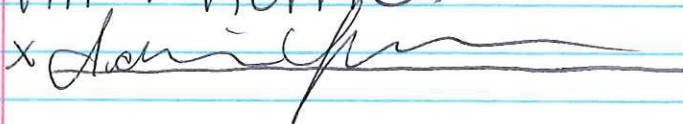


Date

Declaration of Adrianna Thurman

I, Adrianna Thurman, pursuant to USC. 51746, hereby declare as follows:

1. I am over the age of eighteen and am of sound mind.
2. I am Aaron Thurman's older sister.
3. Since I've been diagnosed with Stage IV metastasized breast cancer, Aaron has been helping me take medication and take me to doctor's appointments.
4. Since it spread into my bones, it has been hard for me to get in ~~out~~ and out of bed and to get around without his help.
5. With everyone working at night, I don't have the help that I am used to. When Aaron was home, he would sit next to me at night and play video games all night, while I would sleep right next to me. He would do it in case I needed anything at night; he wouldn't be far away.
6. ~~Now~~ Now, since he's been locked up, I have to wait in the morning for breakfast. Aaron just knew what to do without me even having to ask.
7. I miss the help. I miss him. I need him home.

x 

x 1/25/19

Andrea Thurman

1. I am above the age of 18 and of sound mind.

2. Aaron Thurman my son is currently incarcerated on a 30,000 cash only bond. Our family cannot afford to bail him out.

3. Aaron is the youngest of my 4 children and he is a tremendous help to our family.

4. Aaron is the person that makes sure that the children are fed

5. Aaron would make sure that the children are doing their homework he cooks he cleans he is the person that makes sure the house is in order.

6. My oldest daughter was recently diagnosed with Stage 4 breast cancer and with her diagnosis Aaron is the person that made sure that his sister's needs were met without Aaron being at home his presence is truly missed.

7. Aaron is the father of 3 adorable girls he has a set of fraternal twins without Aaron being here his daughters are missing their father.

Sincerely

Andrea Thurman

ANDREA THURMAN

1-25-19

1/25/19

I, Sheneé Thurman, pursuant to U.S.C. 1746 hereby ~~declare~~ declare as follows:

1. I am above the age of eighteen and am of sound mind
2. Aaron Thurman my little brother is currently incarcerated on a \$30,000 cash only bond. That our family right now is financially can't afford to pay right now.
3. Aaron helps me my mom and brother out right now that is ~~is~~ helping my sister at the house that is very ill with breast cancer.
4. Aaron helps me out with my 4 kids and my sister's 4 kids at night-time because I go to work at night 12 hours shifts Sunday-Thursday 7pm-7am and my oldest brother goes at 11pm-3am and Aaron used to be at home with my sister to help go to the bathroom & any other thing she may need over night until more help arrives in the morning.
5. Aaron has 3 smart beautiful girls two of them are twins which he has a good coparenting relationship with that misses him so much and he plays a good part father figure in their life.
6. My mom has 4 kids and all this is a lot on her with her eldest daughter getting diagnosed with breast cancer and her youngest son getting locked up right now. She can't really cope with a lot of this pressure and us as a family needs to come together we need Aaron to make us whole again.
7. By me getting off at 7am Aaron used to get my kids

up in the morning before I get there helps me out a lot and takes a lot of pressure off of me taking that I am a single parent and all.

7. Aaron helps out with transfers, transportation, medical appts. meds, cooking, cleaning just anything we need help with with him there to help. And with him not being present has really affected us in a major way.

Sincerely,

Shenei Thurman

DECLARATION OF MALASHIA MARCUM

I, Malashia Marcum, pursuant to U.S.C. § 1746, hereby declare the following:

1. I am above the age of eighteen and am of sound mind.
2. Richard Robards, my boyfriend and the father of my yet-to-be-born child, is currently incarcerated on a \$10,000, 10% bond.
3. I am almost five months pregnant, and this is the first child for both of us. We are both so excited about our baby, and Richard has already been suggesting baby names.
4. When Richard was home, he came with me to my doctor's appointments. He helped take care of the baby and me. Richard would watch out and make sure I was eating properly, taking my prenatal vitamins, and would make me meals.
5. The hardest thing about him being locked up is not having him physically here. He had to miss my ultrasound appointment, so he didn't get to see the baby or hear what the gender is. I had to tell him we were having a baby boy over the phone.
6. Even though he's locked up, it isn't like I can avoid getting prepared. I have to be ready, and it would be so much easier with him here.
7. He is just missing out on everything before he's ever been found guilty. I wish he was here so that we could feel like a real family and have him be a part of everything. I wish he could have a real say-so in all the shopping, rather than me just talking to him on the phone about it.
8. His bond is currently \$10,000, 10%. I cannot afford the \$1000 on my own. I'm trying to take care of everything for the baby, plus all of the regular bills.

9. I'm due in the summer, and I need him here for that. I can't go through all of that without him. He should be here.

I declare, under penalty of perjury, that the foregoing is true and accurate.

Malashia Marcum

Malashia Marcum

1/25/19

Date

Declaration of Laura Lehmkuhl

I, Laura Lehmkuhl, pursuant to U.S.C. § 1746, hereby declare:

1. I am above the age of eighteen and am of sound mind.
2. My son, Richard Robards, is incarcerated on a \$10,000, or 10% bond.
3. Richard is a big help around the house. He cuts grass and does chores. He also helps with his girlfriend, who is pregnant.
4. Since he isn't home, it's really hard for him to miss things during the pregnancy of his first child. When he was home, he would help transport his girlfriend to doctor's appointments and to and from work. Now that he's locked up, I'm having to help with that transportation, but I'm also working, so it's been difficult to make that work. She's having to stay with a friend who can take her to work. Normally, she would stay with us.
5. His bond is currently at \$10,000, 10%. We cannot afford the \$1000 bond. It's really hard. I talk to him on the phone, and I have to limit my phone calls because that costs money. I feel bad all the time because he needs to get out.
6. I would get him out if I could, but I don't have the money. I walked by his room the other day, and it's been three weeks since he's locked up. It's been extremely hard.
7. Visiting him is also really hard. It's disgusting, so I worry about him, health-wise. More than anything, I worry about him being in there with his health.
8. He also gets medication once a month, and he's missed this month because of his incarceration. It's critical to his health, and I worry about that.

Under the penalty of perjury, I declare the following to be true and accurate.



1/25/19

Laura Lehmkuhl

Date

Blake Strode,
Executive Director

Jacki Langum,
Director of Advocacy

Michael-John Voss,
Co-Founder &
Special Projects Director



ARCHCITY
DEFENDERS

440 N. 4th St., Ste. 390
St. Louis, Missouri 63102

Phone: 314-361-8834
Toll Free: 855-724-2489
Fax: 314-925-1307

www.archcitydefenders.org

CONSENT TO PUBLISH DECLARATION

1. I, Maurice White, give ArchCity Defenders and its partners (Advancement Project and the Institute for Constitutional Advocacy and Protection) permission to use my declaration to support a class-action lawsuit challenging pretrial bail practices in St. Louis.
2. I understand that this declaration will be released publicly.
3. I understand that submitting a declaration does not create a legal relationship between myself and ArchCity Defenders.
4. I understand that ArchCity Defenders has not agreed to represent me through the documenting of my experiences in this declaration.
5. I further understand that the completion of this declaration and this consent form does not mean that ArchCity Defenders is agreeing to file a civil lawsuit on my behalf.
6. I declare that my declaration is true and accurate.
7. I know I can withdraw this authorization at any time. However, I must provide written notice to ArchCity Defenders thirty (30) days prior to the date I want my information to become confidential. I know that after providing withdrawal of consent to use details from my legal representation and life experience, some disclosures may be time sensitive and not able to be withdrawn in a timely manner. In doing this, I recognize that I am waiving any potential attorney-client privilege or confidentiality in relation to the above-listed details and will not hold ArchCity Defenders or its partners liable for any issues that may arise as a result of this voluntary disclosure.

This is a legal, binding contract between you and ArchCity Defenders, Advancement Project, and Institute for Constitutional Advocacy and Protection. Before signing this release, please read it carefully and be sure that you understand all of the contents.

By signing this document, you verify that you fully and completely understand the contract terms, you are freely and voluntarily entering into this contract, you understand that you are bound by the terms of the agreement, and you have had an opportunity ask questions.

Maurice White

Maurice White

Printed Name

Signature

Date

Attorney, ArchCity Defenders

1/25/19
Date

DECLARATION OF MAUNICE WHITE

I, Maunice White, pursuant to U.S.C. § 1746, hereby declare as follows:

1. I am above the age of eighteen and am of sound mind.
2. Khalil Roy, my boyfriend, is currently incarcerated on a \$1000, cash only bond. Our family cannot afford to bail him out.
3. Khalil is really the man of our house. We live with his brother, who is disabled. If his brother needs anything, like medication or something from the store, or needs to go anywhere, Khalil helps out. His brother can't work, so Khalil basically keeps the house afloat. Anything his brother needs, he steps in and tries to help everyone in any way that he can. He just keeps everything together.
4. I've been really emotional since Khalil was arrested. I'm a nursing student and had two exams on the day he was arrested. When he got locked up, I was a nervous wreck. I was just distraught because of the \$1000 bond. I cried at school multiple times. Not having him here has an impact.
5. Besides the initial shock of the arrest, there have been other impacts. He usually takes me to school, so I've had to find other ways of transportation. He's my focus and supports me through school, so it has been really difficult. He wants me to stay focused, but I have just been worrying about him.
6. I really thought the \$1000 bond was extreme. It really has an effect on people when you don't have that money. You are just stuck with it, and you don't know what to do. If I spend money on that, then I'm lacking in other things.

7. We need Khalil at home because of the care he shows his brother and me. \$1000 is just too much for us to afford right now.

I declare, under penalty of perjury, that the following is true and correct.

Maurice White

Maurice White

1/25/19

Date

DECLARATION OF EDNA CARTER

I, Edna Carter, pursuant to 28 U.S.C. § 1746, hereby declare as follows:

1. I am over the age of 18 and of sound mind.
2. My daughter, India Carter-Stewart, has been incarcerated for about ten days, and my family has struggled in her absence because we cannot afford to bail her out but rely on all she provides to her family.
3. India has three children--a five-year-old, a one-year-old, and a six-month-old. All three of them go to either school or the Headstart program and are on different schedules. Without India, my family has had to figure out how to get the kids to school and how to pick them up.
4. I am disabled, and I travel as best as I can, but it is hard to transport the kids back and forth. Since India has been incarcerated, I have also had to bathe, feed, and generally care for the children.
5. My sister, mother, and I have tried to handle everything, but we have no extra money. We have no money to help India, and we need some help, but we don't have it. Our family wants to post bail so that India could get out of jail, but we cannot afford to post the bail.
6. India spends most of her time taking care of her children, so it is difficult without her.
7. When she was arrested, we had no idea what happened. We didn't know where she was until she was able to call us about six days after she went missing.
8. We almost lost the food stamps that my family relies on. We were expecting to get them on January 12, but because she was incarcerated, we had difficulty sending in the

paperwork. We are still unsure whether we will be able to receive the food stamps and have not gotten any for January. We don't have enough food without them.

9. India has serious health issues. It is my understanding that India does not have her medication while locked up, and she is missing important things, like her doctors appointments.

I declare, under penalty of perjury, that the foregoing is true and accurate.

Edna Carter

Edna Carter

01-24-19

Date

DECLARATION OF SHENEICA JOHNSON

I, Sheneica Johnson, pursuant to 28 U.S.C. § 1746, declare as follows:

1. I am over the age of eighteen and of sound mind.
2. My son, James Bracken, is currently in jail because we cannot afford to post the \$30,000 bond for him. He is the missing piece in our family, and we need him home.
3. His extended family and I are working to get the money together to pay for a lawyer and his bond, but it is really hard. We definitely don't have \$30,000 lying around. This is his first arrest, and it is taking awhile to figure things out.
4. James is the main financial provider in our family. I am currently looking for a job, so James has been helping pay our bills. He pays rent and helps with the cable and light bills. He usually gives me \$300-\$400 a month. In fact, I didn't want him to give me the money because he worked for it, and he should get to keep it, but he pays me anyway because he knows we need it. With me currently out of work, he feels like he needs to contribute and steps up every month to take care of it.
5. James had a good job as a server, but I'm not sure if he still has the job. I have been in contact with his employer to see if he will be able to return, but I have not been able to speak with his supervisor. I hope that he can return to the job, but I don't know yet.
6. With James not able to contribute part of his paycheck this month, it has been very, very hard. I have had to turn to my other extended family members for contributions. I don't like asking for help, but I am still looking for a job, and I need help.
7. James is the man of the house. He still helps clean the house and do chores, including taking out the trash. He is an important part of our household.
8. My younger son, who is twelve years old, looks up to him. He has been down since his big brother has been away.

9. In addition to the financial support James gives me, he also buys his little brother extra things, like games, snacks, and treats from the store. He sometimes gives him money of his own.

10. When you see me, you see my three kids--James, my 18-year-old daughter, and my younger son. When one is not here, it's like, "Where is he?" He is very well-missed.

Something is missing from our household. There is a dark cloud hanging over us.

I declare under the penalty of perjury that this declaration is true and correct.

Executed on January 25, 2019

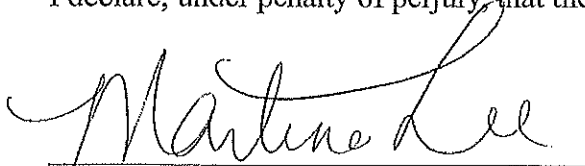

Sheneica Johnson


DECLARATION OF MARTINA LEE

I, Martina Lee, pursuant to 28 U.S.C. § 1746, hereby declare as follows:

1. I am over the age of 18 and of sound mind.
2. My brother, Reginald Lee, is incarcerated at the Medium Security Institution, and my family is desperate to have him home, but we are unable to bail him out because his bond is so high.
3. Reginald and I are really the only ones left in our family, besides my two sons. We love each other and take care of each other. We rely on each other to get by and support each other. I really don't know what to do without him.
4. Reginald helps me if I need to go to the store, to the doctor, and the pharmacy. He really helps support me in everything.
5. I have two sons, and Reginald is important to them. He spends time with them and talks to them. He is a great uncle.
6. I have no money to put towards Reginald's bail. My sons and I are currently homeless, and I don't even have bus fare. I can't even accept his phone calls because I can't afford it. We are poor. We have no one to lean on.
7. I have no way of helping him, and I cannot even communicate with him.
8. We need Reginald home because he is our support system, and we are in trouble without him, but we cannot afford the high bail that was set.

I declare, under penalty of perjury, that the foregoing is true and accurate.


Martina Lee

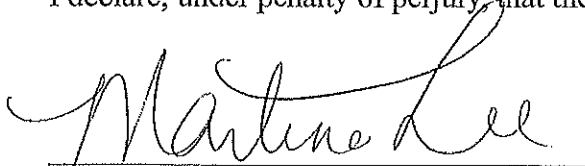

Date


DECLARATION OF MARTINA LEE

I, Martina Lee, pursuant to 28 U.S.C. § 1746, hereby declare as follows:

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2. My brother, Reginald Lee, is incarcerated at the Medium Security Institution, and my family is desperate to have him home, but we are unable to bail him out because his bond is so high.
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4. Reginald helps me if I need to go to the store, to the doctor, and the pharmacy. He really helps support me in everything.
5. I have two sons, and Reginald is important to them. He spends time with them and talks to them. He is a great uncle.
6. I have no money to put towards Reginald's bail. My sons and I are currently homeless, and I don't even have bus fare. I can't even accept his phone calls because I can't afford it. We are poor. We have no one to lean on.
7. I have no way of helping him, and I cannot even communicate with him.
8. We need Reginald home because he is our support system, and we are in trouble without him, but we cannot afford the high bail that was set.

I declare, under penalty of perjury, that the foregoing is true and accurate.


Martina Lee


Date

PRETRIAL RELEASE COMMISSIONER'S REPORT

NAME OF ACCUSED: [REDACTED]

INTERVIEWED None

1. Nature and Circumstances of Charge:

Stlg m/r | Resist Arrest by fleeing

2. Family Ties:

3. Employment:

4. Financial Resources:

5. Character:

6. Mental Condition:

7. Length of Residence in the Community:

8. Record of Convictions:

ON PROBATION # [REDACTED] PAROLE # [REDACTED]

PENDING VIOLATION [REDACTED]

(P) INDICATES PENDING CASE WITH CURRENT BOND SETTING

Resist Arrest | UHw | ASH 2nd
Prob Revoked 18/24yr Confined

9. Record of appearance at court proceedings or flight to avoid prosecution of or failure to appear at court proceedings:

Assistant Pretrial Release Commissioner's Signature & Recommendation:

Vutor J. Kelly \$0.000 cash only

CONDITION OF RELEASE

RECOMMEND DEFENDANT BE SCREENED FOR DIV#25A/RANT ELIGIBILITY ☐

REVISED JAN. 2015

THE BAIL PROJECT

The Bail Project
440 N. 4th Street
Suite 375
St. Louis, MO 63102

mikem@bailproject.org

314-518-0947



January 28, 2019

ArchCity Defenders
440 N. 4th St.
St. Louis, MO 63118

Dear ArchCity Defenders:

Since opening its doors in January, 2018, The Bail Project - St. Louis has paid over 1,300 bails with a median bail amount of \$1,000. Our clients have made 94.4% of their scheduled court appearances (*This value includes some instances of unintentional failure to appear that were ultimately excused by the court*) In the City of St. Louis, 53.4% of resolved cases have ended in a dismissal of all charges. The average age of clients served by the project is 32, over a third (35.6%) have children under age 18, and almost 3/4 (74.3%) are Black, reflecting well-documented racial disparities in St. Louis's pretrial jail population.

Michael Milton
Bail Project – St. Louis



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1822-CR03442 - ST V CALVIN LAMONT WILEY JR (E-CASE)

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11/29/2018 ☐ [Remove Case - Setting Docket](#)

Scheduled For: 12/04/2018; 10:00 AM ; NICOLE JEAN COLBERT BOTCHWAY; Carnahan Courthouse

☐ [Casefile Tranf GrandJury Indmt](#)

11/27/2018 ☐ [Bond Reduction Order](#)

THE COURT ORDERS BOND IN THE AMOUNT OF \$30,000.00 10% CASH ONLY OR SURETY CONTINUE TO REPORT TO PO MAY NOT BE AROUND WEOPONS SO ORDER JUDGE NICOLE COLBERT-BOTCHWAY 44856

☐ [Bond Set](#)

THE BOND IS SET AT \$30,000.00 10% CASH ONLY SO ORDERED JUDGE NICOLE COLBERT-BOTCHWAY 44856

11/21/2018 ☐ [Motion for Bond Reduction](#)

Motion to Reduce Bond; Electronic Filing Certificate of Service.

Filed By: JEFFREY THOMAS WALTEMATE

On Behalf Of: CALVIN LAMONT WILEY JR

☐ [Notice of Hearing Filed](#)

Notice of Hearing; Electronic Filing Certificate of Service.

Filed By: JEFFREY THOMAS WALTEMATE

11/13/2018 ☐ [Preliminary Hearing Scheduled](#)

Associated Entries: 11/29/2018 - [Remove Case - Setting Docket](#)

Scheduled For: 12/04/2018; 10:00 AM ; NICOLE JEAN COLBERT BOTCHWAY; Carnahan Courthouse

☐ [Hearing Continued/Rescheduled](#)

Hearing Continued From: 11/13/2018; 9:01 AM Hearing

11/07/2018 ☐ [Pub Defdr Fee Assessment Filed](#)

Fee Assessment; Electronic Filing Certificate of Service.

Filed By: JEFFREY THOMAS WALTEMATE

On Behalf Of: CALVIN LAMONT WILEY JR

☐ [Motion for Discovery](#)

Filed By: JEFFREY THOMAS WALTEMATE

☐ [Entry of Appearance Filed](#)

Entry of Appearance; Electronic Filing Certificate of Service.

Filed By: JEFFREY THOMAS WALTEMATE

10/26/2018 ☐ [Hearing Scheduled](#)**Associated Entries: 11/13/2018 - Hearing Continued/Rescheduled****Scheduled For:** 11/13/2018; 9:01 AM ; NICOLE JEAN COLBERT BOTCHWAY; Carnahan Courthouse☐ **Hearing Continued/Rescheduled****Hearing Continued From:** 10/26/2018; 10:00 AM Initial Arraignment☐ **Initial Arraignment Scheduled****Associated Entries: 10/26/2018 - Hearing Continued/Rescheduled****Scheduled For:** 10/26/2018; 10:00 AM ; MADELINE O CONNOLLY; Carnahan Courthouse☐ **Warrant Served**

Document ID - 18-STARW-1813; Served To - WILEY, CALVIN LAMONT; Server - ST LOUIS METROPOLITAN POLICE; Served Date - 25-OCT-18; Served Time - 08:00:06; Service Type - Police Department; Reason Description - Served

10/18/2018 ☐ [Entry of Appearance Filed](#)

ENTRY OF APPEARANCE FOR THE PLAINTIFF STATE OF MISSOURI; Electronic Filing Certificate of Service.

Filed By: JUSTIN COLBY STRAYHORN**10/02/2018** ☐ [Warrant Issued](#)

Document ID: 18-STARW-1813, for WILEY, CALVIN LAMONT. , Bond Amount: 50,000.00, Bond Text: BOND SET AT \$50,000 CASH ONLY

☐ [Bond Set](#)

BOND SET AT \$50,000 CASH ONLY PER JUDGE NICOLE COLBERT-BOTCHWAY

☐ [Probable Cause Statement Filed](#)**Filed By:** KARELIA STEPHANIE RAJAGOPAL☐ [Complaint Filed](#)**Filed By:** KARELIA STEPHANIE RAJAGOPAL☐ [Warrant Requested](#)**Filed By:** KARELIA STEPHANIE RAJAGOPAL☐ **Judge Assigned**

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1822-CR03462 - ST V DION JOSEPH CLERK (E-CASE)

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11/29/2018 ☐ [Motion for Discovery](#)

REQUEST FOR DISCOVERY; Electronic Filing Certificate of Service.

Filed By: ADRIANO ALFONSO MARTINEZ

☐ **Waiver of Preliminary Hearing**

Associated Entries: 10/30/2018 - **Hearing Continued/Rescheduled**

Associated Entries: 10/30/2018 - [Hearing Scheduled](#)

Scheduled For: 11/29/2018; 9:01 AM ; NICOLE JEAN COLBERT BOTCHWAY; Carnahan Courthouse

☐ **Remove Case - Setting Docket**

Scheduled For: 12/12/2018; 9:30 AM ; ROCHELLE MONEA WOODIEST; Carnahan Courthouse

☐ **Casefile Tranf GrandJury Indmt**

11/07/2018 ☐ **Order**

POST PLEA DIVISION 25A ELIGIBILITY ORDER FILED. SO ORDERED: COMMISSIONER ROCHELLE M. WOODIEST 49376

☐ **Case Review Scheduled**

Associated Entries: 11/29/2018 - **Remove Case - Setting Docket**

Scheduled For: 12/12/2018; 9:30 AM ; ROCHELLE MONEA WOODIEST; Carnahan Courthouse

☐ **Hearing Continued/Rescheduled**

Hearing Continued From: 11/07/2018; 9:30 AM Case Review

11/02/2018 ☐ **Case Review Scheduled**

Associated Entries: 11/07/2018 - **Hearing Continued/Rescheduled**

Scheduled For: 11/07/2018; 9:30 AM ; ROCHELLE MONEA WOODIEST; Carnahan Courthouse

☐ **Hearing Continued/Rescheduled**

Hearing Continued From: 11/02/2018; 9:00 AM Case Review

10/30/2018 ☐ [Hearing Scheduled](#)

Associated Entries: 11/29/2018 - **Waiver of Preliminary Hearing**

Scheduled For: 11/29/2018; 9:01 AM ; NICOLE JEAN COLBERT BOTCHWAY; Carnahan Courthouse

☐ [Bond Reduction Order](#)

THE COURT ORDERS BOND IN THE AMOUNT OF \$5,000.00 10% CASH ONLY SCREEN FOR DRUG COURT ON 11/2/18 SO ORDER JUDGE NICOLE COLBERT-BOTCHWAY 44856

☐ **Bond Set**
☐ **Hearing Continued/Rescheduled**

Hearing Continued From: 10/30/2018; 9:01 AM Hearing

☐ **Case Review Scheduled**

Associated Entries: 11/02/2018 - Hearing Continued/Rescheduled

Scheduled For: 11/02/2018; 9:00 AM ; ROCHELLE MONEA WOODIEST; Carnahan Courthouse

☐ **Order**

ORDER FOR DIV 25A SCREENING AND ELIGIBILITY EVALUATION SO ORDERED : JUDGE NICOLE COLBERT-BOTCHWAY 44856

10/29/2018 ☐ [Answers to Disclosure Filed](#)

Supplemental Voluntary Disclosure; Electronic Filing Certificate of Service.

Filed By: NICHOLAS DECKER BROWN

10/25/2018 ☐ **Motion for Bond Reduction**

Motion to Reduce Bond; Electronic Filing Certificate of Service.

Filed By: ANNE RUSK LEGOMSKY

On Behalf Of: DION JOSEPH CLERK

☐ [Notice of Hearing Filed](#)

Notice of Hearing; Electronic Filing Certificate of Service.

Filed By: ANNE RUSK LEGOMSKY

10/18/2018 ☐ [Pub Defdr Fee Assessment Filed](#)

Fee Assessment for Dion Clerk; Electronic Filing Certificate of Service.

Filed By: ANNE RUSK LEGOMSKY

On Behalf Of: DION JOSEPH CLERK

☐ [Motion for Discovery](#)

Filed By: ANNE RUSK LEGOMSKY

☐ [Entry of Appearance Filed](#)

Entry of Appearance; Electronic Filing Certificate of Service.

Filed By: ANNE RUSK LEGOMSKY

☐ [Entry of Appearance Filed](#)

States Entry of Appearance; Electronic Filing Certificate of Service.

Filed By: ADRIANO ALFONSO MARTINEZ

10/16/2018 ☐ [Hearing Scheduled](#)

Associated Entries: 10/30/2018 - Hearing Continued/Rescheduled

Scheduled For: 10/30/2018; 9:01 AM ; NICOLE JEAN COLBERT BOTCHWAY; Carnahan Courthouse

☐ **Hearing Continued/Rescheduled**

Hearing Continued From: 10/16/2018; 9:05 AM Setting - Preliminary Hearing

10/04/2018 ☐ **Arraignment Held**

Scheduled For: 10/04/2018; 10:00 AM ; NICOLE JEAN COLBERT BOTCHWAY; Carnahan Courthouse

☐ **Hearing Continued/Rescheduled**

Hearing Continued From: 10/16/2018; 9:00 AM Hearing

☐ [Setting - Prelim Hrg Scheduled](#)

Associated Entries: 10/16/2018 - Hearing Continued/Rescheduled

Scheduled For: 10/16/2018; 9:05 AM ; NICOLE JEAN COLBERT BOTCHWAY; Carnahan Courthouse

☐ **Hearing Scheduled****Associated Entries: 10/04/2018 - Hearing Continued/Rescheduled****Scheduled For:** 10/16/2018; 9:00 AM ; NICOLE JEAN COLBERT BOTCHWAY; Carnahan Courthouse☐ **Initial Arraignment Scheduled****Associated Entries: 10/04/2018 - Arraignment Held****Scheduled For:** 10/04/2018; 10:00 AM ; NICOLE JEAN COLBERT BOTCHWAY; Carnahan Courthouse**10/03/2018**☐ **Bond Set**

BOND SETTING- 10,000 CASH ONLY PER JUDGE DAVID L DOWD

☐ **Filing:****Filed By:** KARELIA STEPHANIE RAJAGOPAL☐ **Probable Cause Statement Filed****Filed By:** KARELIA STEPHANIE RAJAGOPAL☐ **Warrant Requested****Filed By:** KARELIA STEPHANIE RAJAGOPAL☐ **Complaint Filed****Filed By:** KARELIA STEPHANIE RAJAGOPAL☐ **Return Service - Other**

DIV 25/26 CONFINED

☐ **Judge Assigned**

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1922-CR00117 - ST V DAVID BUSTER DIXON JR (E-CASE)

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01/15/2019 **Confid Filing Info Sheet Filed**

01/11/2019 **Hearing Scheduled**
 Scheduled For: 01/28/2019; 9:01 AM ; MADELINE O CONNOLLY; Carnahan Courthouse
Hearing Continued/Rescheduled
 Hearing Continued From: 01/11/2019; 10:00 AM Initial Arraignment
Initial Arraignment Scheduled
 Associated Entries: 01/11/2019 - Hearing Continued/Rescheduled
 Scheduled For: 01/11/2019; 10:00 AM ; DAVID A ROITHER; City of St. Louis

01/10/2019 **Return Service - Other**
 DIV 25/26 CONFINED
Bond Set
 BOND SETTING- 30,000 CASH ONLY PER JUDGE DAVID ROITHER
Probable Cause Statement Filed
 Filed By: JOSHUA ERIC LUBATKIN
Warrant Requested
 Filed By: JOSHUA ERIC LUBATKIN
Complaint Filed
 Filed By: JOSHUA ERIC LUBATKIN
Judge Assigned

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Case Header	Parties & Attorneys	Docket Entries	Charges, Judgments & Sentences	Service Information	Filings Due	Scheduled Hearings & Trials	Civil Judgments	Garnishments/ Execution
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Sort Date Entries: ☒ Descending ☐ AscendingDisplay Options:

01/24/2019 **Hearing Scheduled**
 Scheduled For: 02/26/2019; 9:01 AM ; THOMAS A MCCARTHY; Carnahan Courthouse
Hearing Continued/Rescheduled
 Hearing Continued From: 01/24/2019; 9:01 AM Hearing

01/11/2019 **Hearing Scheduled**
 Associated Entries: 01/24/2019 - Hearing Continued/Rescheduled
 Scheduled For: 01/24/2019; 9:01 AM ; THOMAS A MCCARTHY; Carnahan Courthouse
Hearing Continued/Rescheduled
 Hearing Continued From: 01/11/2019; 10:00 AM Initial Arraignment
Initial Arraignment Scheduled
 Associated Entries: 01/11/2019 - Hearing Continued/Rescheduled
 Scheduled For: 01/11/2019; 10:00 AM ; DAVID A ROITHER; City of St. Louis

01/10/2019 **Bond Set**
 BOND SETTING- \$15,000 CASH ONLY PER JUDGE DAVID A ROITHER
Return Service - Other
 DIV 25/26 CONFINED
Probable Cause Statement Filed
 Filed By: JOSHUA ERIC LUBATKIN
Warrant Requested
 Filed By: JOSHUA ERIC LUBATKIN
Complaint Filed
 Filed By: JOSHUA ERIC LUBATKIN
Judge Assigned

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1922-CR00174 - ST V AARON THURMAN (E-CASE)

Case Header	Parties & Attorneys	Docket Entries	Charges, Judgments & Sentences	Service Information	Filings Due	Scheduled Hearings & Trials	Civil Judgments	Garnishments/ Execution
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01/16/2019

Initial Arraignment Scheduled

Associated Entries: 01/16/2019 - Hearing Continued/Rescheduled

Scheduled For: 01/16/2019; 10:00 AM ; THOMAS A MCCARTHY; Carnahan Courthouse

Setting - Prelim Hrg Scheduled

Scheduled For: 02/19/2019; 9:05 AM ; THOMAS A MCCARTHY; Carnahan Courthouse

Warrant Served

Document ID - 19-STARW-99; Served To - THURMAN, AARON; Server - ST LOUIS METROPOLITAN POLICE; Served Date - 15-JAN-19; Served Time - 08:13:44; Service Type - Police Department; Reason Description - Served

Hearing Continued/Rescheduled

Hearing Continued From: 01/16/2019; 10:00 AM Initial Arraignment

01/15/2019

Warrant Issued

Document ID: 19-STARW-99, for THURMAN, AARON. , Bond Amount: 30,000.00, Bond Text: BOND SETTING- 30,000 CASH ONLY

Bond Set

BOND SETTING- \$30,000 CASH ONLY PER JUDGE ELIZABETH B HOGAN

Probable Cause Statement Filed

Filed By: JOSHUA ERIC LUBATKIN

Warrant Requested

Filed By: JOSHUA ERIC LUBATKIN

Complaint Filed

Filed By: JOSHUA ERIC LUBATKIN

Filing:

Filed By: JOSHUA ERIC LUBATKIN

Judge Assigned

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1922-CR00127 - ST V RICHARD D ROBARDS (E-CASE)

Case Header	Parties & Attorneys	Docket Entries	Charges, Judgments & Sentences	Service Information	Filings Due	Scheduled Hearings & Trials	Civil Judgments	Garnishments/ Execution
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01/11/2019

Hearing Scheduled

Scheduled For: 01/28/2019; 9:01 AM ; MADELINE O CONNOLLY; Carnahan Courthouse

Hearing Continued/Rescheduled

Hearing Continued From: 01/11/2019; 10:00 AM Initial Arraignment

Bond Set

THE BOND IS SET AT \$10,000 SECURED BY SURETY OR 10% CASH. SO ORDERED JUDGE DAVID ROITHER #51426.

Bond Reduction Order

THE COURT ORDERS THE CONDITIONS OF BOND MODIFIED TO \$10,000 SECURED BY SURETY OR 10% CASH. SO ORDERED JUDGE DAVID ROITHER #51426.

Initial Arraignment Scheduled

Associated Entries: 01/11/2019 - Hearing Continued/Rescheduled

Scheduled For: 01/11/2019; 10:00 AM ; DAVID A ROITHER; City of St. Louis

01/10/2019

Bond Set

BOND SETTING- 10,000 OR 10% CASH PER JUDGE DAVID ROITHER

Probable Cause Statement Filed

Filed By: JOSHUA ERIC LUBATKIN

Warrant Requested

Filed By: JOSHUA ERIC LUBATKIN

Complaint Filed

Filed By: JOSHUA ERIC LUBATKIN

Return Service - Other

DIV 25/26 CONFINED

Judge Assigned

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PRETRIAL RELEASE COMMISSIONER'S REPORT

NAME OF ACCUSED: [REDACTED]

INTERVIEWED None

1. Nature and Circumstances of Charge:

Stlg m/r / Resist Arrest by fleeing

2. Family Ties:

3. Employment:

4. Financial Resources:

5. Character:

6. Mental Condition:

7. Length of Residence in the Community:

8. Record of Convictions:

ON PROBATION # [REDACTED] PAROLE # [REDACTED]

PENDING VIOLATION [REDACTED]

(P) INDICATES PENDING CASE WITH CURRENT BOND SETTING

Resist Arrest / UHw / ASH 2nd
Prob Revoked 18/24hr Confined

9. Record of appearance at court proceedings or flight to avoid prosecution of or failure to appear at court proceedings:

Assistant Pretrial Release Commissioner's Signature & Recommendation:

Vutor J. Kelly \$0.000 cash only

CONDITION OF RELEASE

RECOMMEND DEFENDANT BE SCREENED FOR DIV#25A/RANT ELIGIBILITY ☐

REVISED JAN. 2015

THE BAIL PROJECT

The Bail Project
440 N. 4th Street
Suite 375
St. Louis, MO 63102

mikem@bailproject.org

314-518-0947



January 28, 2019

ArchCity Defenders
440 N. 4th St.
St. Louis, MO 63118

Dear ArchCity Defenders:

Since opening its doors in January, 2018, The Bail Project - St. Louis has paid over 1,300 bails with a median bail amount of \$1,000. Our clients have made 94.4% of their scheduled court appearances (*This value includes some instances of unintentional failure to appear that were ultimately excused by the court*) In the City of St. Louis, 53.4% of resolved cases have ended in a dismissal of all charges. The average age of clients served by the project is 32, over a third (35.6%) have children under age 18, and almost 3/4 (74.3%) are Black, reflecting well-documented racial disparities in St. Louis's pretrial jail population.

Michael Milton
Bail Project – St. Louis



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1822-CR03442 - ST V CALVIN LAMONT WILEY JR (E-CASE)

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11/29/2018 ☐ [Remove Case - Setting Docket](#)

Scheduled For: 12/04/2018; 10:00 AM ; NICOLE JEAN COLBERT BOTCHWAY; Carnahan Courthouse

☐ [Casefile Tranf GrandJury Indmt](#)

11/27/2018 ☐ [Bond Reduction Order](#)

THE COURT ORDERS BOND IN THE AMOUNT OF \$30,000.00 10% CASH ONLY OR SURETY CONTINUE TO REPORT TO PO MAY NOT BE AROUND WEOPONS SO ORDER JUDGE NICOLE COLBERT-BOTCHWAY 44856

☐ [Bond Set](#)

THE BOND IS SET AT \$30,000.00 10% CASH ONLY SO ORDERED JUDGE NICOLE COLBERT-BOTCHWAY 44856

11/21/2018 ☐ [Motion for Bond Reduction](#)

Motion to Reduce Bond; Electronic Filing Certificate of Service.

Filed By: JEFFREY THOMAS WALTEMATE

On Behalf Of: CALVIN LAMONT WILEY JR

☐ [Notice of Hearing Filed](#)

Notice of Hearing; Electronic Filing Certificate of Service.

Filed By: JEFFREY THOMAS WALTEMATE

11/13/2018 ☐ [Preliminary Hearing Scheduled](#)

Associated Entries: 11/29/2018 - [Remove Case - Setting Docket](#)

Scheduled For: 12/04/2018; 10:00 AM ; NICOLE JEAN COLBERT BOTCHWAY; Carnahan Courthouse

☐ [Hearing Continued/Rescheduled](#)

Hearing Continued From: 11/13/2018; 9:01 AM Hearing

11/07/2018 ☐ [Pub Defdr Fee Assessment Filed](#)

Fee Assessment; Electronic Filing Certificate of Service.

Filed By: JEFFREY THOMAS WALTEMATE

On Behalf Of: CALVIN LAMONT WILEY JR

☐ [Motion for Discovery](#)

Filed By: JEFFREY THOMAS WALTEMATE

☐ [Entry of Appearance Filed](#)

Entry of Appearance; Electronic Filing Certificate of Service.

Filed By: JEFFREY THOMAS WALTEMATE

10/26/2018 ☐ [Hearing Scheduled](#)**Associated Entries: 11/13/2018 - Hearing Continued/Rescheduled****Scheduled For:** 11/13/2018; 9:01 AM ; NICOLE JEAN COLBERT BOTCHWAY; Carnahan Courthouse☐ **Hearing Continued/Rescheduled****Hearing Continued From:** 10/26/2018; 10:00 AM Initial Arraignment☐ **Initial Arraignment Scheduled****Associated Entries: 10/26/2018 - Hearing Continued/Rescheduled****Scheduled For:** 10/26/2018; 10:00 AM ; MADELINE O CONNOLLY; Carnahan Courthouse☐ **Warrant Served**

Document ID - 18-STARW-1813; Served To - WILEY, CALVIN LAMONT; Server - ST LOUIS METROPOLITAN POLICE; Served Date - 25-OCT-18; Served Time - 08:00:06; Service Type - Police Department; Reason Description - Served

10/18/2018 ☐ [Entry of Appearance Filed](#)

ENTRY OF APPEARANCE FOR THE PLAINTIFF STATE OF MISSOURI; Electronic Filing Certificate of Service.

Filed By: JUSTIN COLBY STRAYHORN**10/02/2018** ☐ [Warrant Issued](#)

Document ID: 18-STARW-1813, for WILEY, CALVIN LAMONT. , Bond Amount: 50,000.00, Bond Text: BOND SET AT \$50,000 CASH ONLY

☐ [Bond Set](#)

BOND SET AT \$50,000 CASH ONLY PER JUDGE NICOLE COLBERT-BOTCHWAY

☐ [Probable Cause Statement Filed](#)**Filed By:** KARELIA STEPHANIE RAJAGOPAL☐ [Complaint Filed](#)**Filed By:** KARELIA STEPHANIE RAJAGOPAL☐ [Warrant Requested](#)**Filed By:** KARELIA STEPHANIE RAJAGOPAL☐ **Judge Assigned**

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1822-CR03462 - ST V DION JOSEPH CLERK (E-CASE)

Case Header	Parties & Attorneys	Docket Entries	Charges, Judgments & Sentences	Service Information	Filings Due	Scheduled Hearings & Trials	Civil Judgments	Garnishments/ Execution
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11/29/2018 ☐ [Motion for Discovery](#)

REQUEST FOR DISCOVERY; Electronic Filing Certificate of Service.

Filed By: ADRIANO ALFONSO MARTINEZ

☐ [Waiver of Preliminary Hearing](#)

Associated Entries: 10/30/2018 - [Hearing Continued/Rescheduled](#)

Associated Entries: 10/30/2018 - [Hearing Scheduled](#)

Scheduled For: 11/29/2018; 9:01 AM ; NICOLE JEAN COLBERT BOTCHWAY; Carnahan Courthouse

☐ [Remove Case - Setting Docket](#)

Scheduled For: 12/12/2018; 9:30 AM ; ROCHELLE MONEA WOODIEST; Carnahan Courthouse

☐ [Casefile Tranf GrandJury Indmt](#)

11/07/2018 ☐ [Order](#)

POST PLEA DIVISION 25A ELIGIBILITY ORDER FILED. SO ORDERED: COMMISSIONER ROCHELLE M. WOODIEST 49376

☐ [Case Review Scheduled](#)

Associated Entries: 11/29/2018 - [Remove Case - Setting Docket](#)

Scheduled For: 12/12/2018; 9:30 AM ; ROCHELLE MONEA WOODIEST; Carnahan Courthouse

☐ [Hearing Continued/Rescheduled](#)

Hearing Continued From: 11/07/2018; 9:30 AM Case Review

11/02/2018 ☐ [Case Review Scheduled](#)

Associated Entries: 11/07/2018 - [Hearing Continued/Rescheduled](#)

Scheduled For: 11/07/2018; 9:30 AM ; ROCHELLE MONEA WOODIEST; Carnahan Courthouse

☐ [Hearing Continued/Rescheduled](#)

Hearing Continued From: 11/02/2018; 9:00 AM Case Review

10/30/2018 ☐ [Hearing Scheduled](#)

Associated Entries: 11/29/2018 - [Waiver of Preliminary Hearing](#)

Scheduled For: 11/29/2018; 9:01 AM ; NICOLE JEAN COLBERT BOTCHWAY; Carnahan Courthouse

☐ [Bond Reduction Order](#)

THE COURT ORDERS BOND IN THE AMOUNT OF \$5,000.00 10% CASH ONLY SCREEN FOR DRUG COURT ON 11/2/18 SO ORDER JUDGE NICOLE COLBERT-BOTCHWAY 44856

☐ [Bond Set](#)
☐ [Hearing Continued/Rescheduled](#)

Hearing Continued From: 10/30/2018; 9:01 AM Hearing

☐ **Case Review Scheduled**

Associated Entries: 11/02/2018 - Hearing Continued/Rescheduled

Scheduled For: 11/02/2018; 9:00 AM ; ROCHELLE MONEA WOODIEST; Carnahan Courthouse

☐ **Order**

ORDER FOR DIV 25A SCREENING AND ELIGIBILITY EVALUATION SO ORDERED : JUDGE NICOLE COLBERT-BOTCHWAY 44856

10/29/2018

☐ [Answers to Disclosure Filed](#)

Supplemental Voluntary Disclosure; Electronic Filing Certificate of Service.

Filed By: NICHOLAS DECKER BROWN

10/25/2018

☐ **Motion for Bond Reduction**

Motion to Reduce Bond; Electronic Filing Certificate of Service.

Filed By: ANNE RUSK LEGOMSKY

On Behalf Of: DION JOSEPH CLERK

☐ [Notice of Hearing Filed](#)

Notice of Hearing; Electronic Filing Certificate of Service.

Filed By: ANNE RUSK LEGOMSKY

10/18/2018

☐ [Pub Defdr Fee Assessment Filed](#)

Fee Assessment for Dion Clerk; Electronic Filing Certificate of Service.

Filed By: ANNE RUSK LEGOMSKY

On Behalf Of: DION JOSEPH CLERK

☐ [Motion for Discovery](#)

Filed By: ANNE RUSK LEGOMSKY

☐ [Entry of Appearance Filed](#)

Entry of Appearance; Electronic Filing Certificate of Service.

Filed By: ANNE RUSK LEGOMSKY

☐ [Entry of Appearance Filed](#)

States Entry of Appearance; Electronic Filing Certificate of Service.

Filed By: ADRIANO ALFONSO MARTINEZ

10/16/2018

☐ [Hearing Scheduled](#)

Associated Entries: 10/30/2018 - Hearing Continued/Rescheduled

Scheduled For: 10/30/2018; 9:01 AM ; NICOLE JEAN COLBERT BOTCHWAY; Carnahan Courthouse

☐ **Hearing Continued/Rescheduled**

Hearing Continued From: 10/16/2018; 9:05 AM Setting - Preliminary Hearing

10/04/2018

☐ **Arraignment Held**

Scheduled For: 10/04/2018; 10:00 AM ; NICOLE JEAN COLBERT BOTCHWAY; Carnahan Courthouse

☐ **Hearing Continued/Rescheduled**

Hearing Continued From: 10/16/2018; 9:00 AM Hearing

☐ [Setting - Prelim Hrg Scheduled](#)

Associated Entries: 10/16/2018 - Hearing Continued/Rescheduled

Scheduled For: 10/16/2018; 9:05 AM ; NICOLE JEAN COLBERT BOTCHWAY; Carnahan Courthouse

☐ **Hearing Scheduled****Associated Entries: 10/04/2018 - Hearing Continued/Rescheduled****Scheduled For:** 10/16/2018; 9:00 AM ; NICOLE JEAN COLBERT BOTCHWAY; Carnahan Courthouse☐ **Initial Arraignment Scheduled****Associated Entries: 10/04/2018 - Arraignment Held****Scheduled For:** 10/04/2018; 10:00 AM ; NICOLE JEAN COLBERT BOTCHWAY; Carnahan Courthouse**10/03/2018**☐ **Bond Set**

BOND SETTING- 10,000 CASH ONLY PER JUDGE DAVID L DOWD

☐ **Filing:****Filed By:** KARELIA STEPHANIE RAJAGOPAL☐ **Probable Cause Statement Filed****Filed By:** KARELIA STEPHANIE RAJAGOPAL☐ **Warrant Requested****Filed By:** KARELIA STEPHANIE RAJAGOPAL☐ **Complaint Filed****Filed By:** KARELIA STEPHANIE RAJAGOPAL☐ **Return Service - Other**

DIV 25/26 CONFINED

☐ **Judge Assigned**

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1922-CR00117 - ST V DAVID BUSTER DIXON JR (E-CASE)

Case Header	Parties & Attorneys	Docket Entries	Charges, Judgments & Sentences	Service Information	Filings Due	Scheduled Hearings & Trials	Civil Judgments	Garnishments/ Execution
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Display Options:

01/15/2019 **Confid Filing Info Sheet Filed**

01/11/2019 **Hearing Scheduled**
 Scheduled For: 01/28/2019; 9:01 AM ; MADELINE O CONNOLLY; Carnahan Courthouse
Hearing Continued/Rescheduled
 Hearing Continued From: 01/11/2019; 10:00 AM Initial Arraignment
Initial Arraignment Scheduled
 Associated Entries: 01/11/2019 - Hearing Continued/Rescheduled
 Scheduled For: 01/11/2019; 10:00 AM ; DAVID A ROITHER; City of St. Louis

01/10/2019 **Return Service - Other**
 DIV 25/26 CONFINED
Bond Set
 BOND SETTING- 30,000 CASH ONLY PER JUDGE DAVID ROITHER
Probable Cause Statement Filed
 Filed By: JOSHUA ERIC LUBATKIN
Warrant Requested
 Filed By: JOSHUA ERIC LUBATKIN
Complaint Filed
 Filed By: JOSHUA ERIC LUBATKIN
Judge Assigned

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Case Header	Parties & Attorneys	Docket Entries	Charges, Judgments & Sentences	Service Information	Filings Due	Scheduled Hearings & Trials	Civil Judgments	Garnishments/ Execution
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Sort Date Entries: ☒ Descending ☐ AscendingDisplay Options:

01/24/2019 **Hearing Scheduled**
 Scheduled For: 02/26/2019; 9:01 AM ; THOMAS A MCCARTHY; Carnahan Courthouse
Hearing Continued/Rescheduled
 Hearing Continued From: 01/24/2019; 9:01 AM Hearing

01/11/2019 **Hearing Scheduled**
 Associated Entries: 01/24/2019 - Hearing Continued/Rescheduled
 Scheduled For: 01/24/2019; 9:01 AM ; THOMAS A MCCARTHY; Carnahan Courthouse
Hearing Continued/Rescheduled
 Hearing Continued From: 01/11/2019; 10:00 AM Initial Arraignment
Initial Arraignment Scheduled
 Associated Entries: 01/11/2019 - Hearing Continued/Rescheduled
 Scheduled For: 01/11/2019; 10:00 AM ; DAVID A ROITHER; City of St. Louis

01/10/2019 **Bond Set**
 BOND SETTING- \$15,000 CASH ONLY PER JUDGE DAVID A ROITHER
Return Service - Other
 DIV 25/26 CONFINED
Probable Cause Statement Filed
 Filed By: JOSHUA ERIC LUBATKIN
Warrant Requested
 Filed By: JOSHUA ERIC LUBATKIN
Complaint Filed
 Filed By: JOSHUA ERIC LUBATKIN
Judge Assigned

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1922-CR00174 - ST V AARON THURMAN (E-CASE)

Case Header	Parties & Attorneys	Docket Entries	Charges, Judgments & Sentences	Service Information	Filings Due	Scheduled Hearings & Trials	Civil Judgments	Garnishments/ Execution
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 Sort Date Entries: ☒ Descending ☐ Ascending

 Display Options:

01/16/2019

Initial Arraignment Scheduled

Associated Entries: 01/16/2019 - Hearing Continued/Rescheduled

Scheduled For: 01/16/2019; 10:00 AM ; THOMAS A MCCARTHY; Carnahan Courthouse

Setting - Prelim Hrg Scheduled

Scheduled For: 02/19/2019; 9:05 AM ; THOMAS A MCCARTHY; Carnahan Courthouse

Warrant Served

Document ID - 19-STARW-99; Served To - THURMAN, AARON; Server - ST LOUIS METROPOLITAN POLICE; Served Date - 15-JAN-19; Served Time - 08:13:44; Service Type - Police Department; Reason Description - Served

Hearing Continued/Rescheduled

Hearing Continued From: 01/16/2019; 10:00 AM Initial Arraignment

01/15/2019

Warrant Issued

Document ID: 19-STARW-99, for THURMAN, AARON. , Bond Amount: 30,000.00, Bond Text: BOND SETTING- 30,000 CASH ONLY

Bond Set

BOND SETTING- \$30,000 CASH ONLY PER JUDGE ELIZABETH B HOGAN

Probable Cause Statement Filed

Filed By: JOSHUA ERIC LUBATKIN

Warrant Requested

Filed By: JOSHUA ERIC LUBATKIN

Complaint Filed

Filed By: JOSHUA ERIC LUBATKIN

Filing:

Filed By: JOSHUA ERIC LUBATKIN

Judge Assigned

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1922-CR00127 - ST V RICHARD D ROBARDS (E-CASE)

Case Header	Parties & Attorneys	Docket Entries	Charges, Judgments & Sentences	Service Information	Filings Due	Scheduled Hearings & Trials	Civil Judgments	Garnishments/ Execution
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Sort Date Entries: ☒ Descending ☐ Ascending

Display Options:
01/11/2019**Hearing Scheduled****Scheduled For:** 01/28/2019; 9:01 AM ; MADELINE O CONNOLLY; Carnahan Courthouse**Hearing Continued/Rescheduled****Hearing Continued From:** 01/11/2019; 10:00 AM Initial Arraignment**Bond Set**

THE BOND IS SET AT \$10,000 SECURED BY SURETY OR 10% CASH. SO ORDERED JUDGE DAVID ROITHER #51426.

Bond Reduction Order

THE COURT ORDERS THE CONDITIONS OF BOND MODIFIED TO \$10,000 SECURED BY SURETY OR 10% CASH. SO ORDERED JUDGE DAVID ROITHER #51426.

Initial Arraignment Scheduled**Associated Entries:** 01/11/2019 - Hearing Continued/Rescheduled**Scheduled For:** 01/11/2019; 10:00 AM ; DAVID A ROITHER; City of St. Louis**01/10/2019****Bond Set**

BOND SETTING- 10,000 OR 10% CASH PER JUDGE DAVID ROITHER

Probable Cause Statement Filed**Filed By:** JOSHUA ERIC LUBATKIN**Warrant Requested****Filed By:** JOSHUA ERIC LUBATKIN**Complaint Filed****Filed By:** JOSHUA ERIC LUBATKIN**Return Service - Other**

DIV 25/26 CONFINED

Judge Assigned
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